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THE

LAW OF REGISTRATION

OF

PARLIAMENTARY VOTERS

In Ireland.

BY

ARTHUR P. CLEARY, ESQ.,

BARRISTER-AT-LAW.

SECOND EDITION.

DUBLIN:

E. PONSONBY, 116, GRAFTON-STREET,

1868.

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PREFACE TO THE SECOND EDITION.

In offering a new Edition of this Work, the Author gladly avails himself of the occasion to thank the legal profession and the public for the reception the First Edition has met with at their hands.

ARTHUR CLEARY.

52, Nth. Gt. George's-street,
Sept. 1*st*, 1869.

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CORRIGENDA.

Page 9, line 18, *for* or *read* nor.
—— 17, —— 18, *for* adjisting *read* agisting.
—— 23, —— 4, *for* officer *read* officers.
—— 42, —— 13, *for* to mean *read* not to mean.

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ADDENDA.

An annuity of £10 a year from a Benefit Society, whose income arose partly from lands vested in trustees and partly from contributions of members, was held not to confer on an annuitant (the claimant) any direct interest, legal or equitable, in the lands of the Society: *Robinson* v. *Ainge*, 4 L. R. C. P. 429.

In *Anelay* v. *Lewis*, 17 C. B. 316; 25 L. J. C. P. 121, it was held that a purchaser of freehold land (sufficient in value to confer a qualification to vote), to whom no conveyance had been made, and who has not been let into possession, does not acquire a right to be registered under 6 Vict. c. 18, s. 74, although he has paid the whole purchase money.

The claimant occupied the house and garden in Lord Collingsby's Hospital by virtue of an appointment, under which he was entitled to hold the same rent free for life, unless he was found guilty of felony, &c., and also entitled to receive clothes and coals, and fixed payments, out of funds of the hospital. It was held that the claimant, having a freehold for life, occupied as "owner," and that the circumstance of the endowment being more or less eleemosynary did not deprive him of the franchise: *Freyer* v. *Bodenham*, 4 L. R. 529.

"A great deal of ambiguity has been brought into these cases by saying that a man would be prevented from being qualified, though he had a legal or equitable freehold, if the mode of occupation was eleemosynary. I have a great desire to avoid introducing anything that is, to my mind, an entirely mistaken notion as to the question whether the party is owner of the equitable freehold or not. In deciding this question, it may be very material to see whether the trustees held in trust to take the profits and dispose of them in an eleemosynary manner, to the objects of the donor's bounty; but if a person have an estate, whether legal or equitable, it matters not whether the motive of the donor of the estate was of a

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charitable nature, or whether the feelings of the parties who took the estate and enjoyed the profits under it ought to be the feelings of the eleemosynary grantees:" Erle, C. J., *Roberts* v. *Percival*, 18 C. B. N. S. 36.

"It may be that where there is an agreement to grant a term or payment of a sum of money *simpliciter*, the party may have an equitable interest in a term, and possibly be within the enactment; but when there is a condition to be performed before the term is created, I think he cannot be said to have a term even in equity; at all events, not such a term as is contemplated by the Reform Act and the Representation of the People Act, 1867."—M. Smith, J.: *Trotter* v. *Watson*, 4 L. R. C. P. 453.

M. was rated occupier in respect of three fields, which were granted by L. under a parol yearly contract. There was a gate to each field, of which the keys were given up by L. each year. The rates were paid by M. L. paid £14 a year for the grazing. M.'s brother, who acted as his agent, kept a master key of the outer and principal gate, but did not inform L. that he did so. L. made no use of the field, except for grazing. It was held that M. was entitled to remain on the list of rated occupiers: *O'Shea* v. *Meara*, 8 Ir. L. R. C. L. 115.

Where there was a lease for lives of a house and garden, "leasehold house and garden" was held to be a sufficient description of the nature of the qualification: *Jones* v. *Jones*, 4 L. R. C. P. 423.

The claimants claimed as rated occupiers. The value of the premises was omitted in the special list, and also in the claim. It was held that the Revising Barrister should have amended by inserting the rated value: *Herman* v. *Troy*, 3 Ir. L. R. C. L. 117.

A notice of objection directed, "T. Curran, Charles-street," without the addition of "Sligo," was held sufficient: *M'Niffe* v. *Wilson*, 3 Ir. L. R. C. L. 123.

The appellant appeared in No. 128 and No. 129 on Town Clerk's list as a rated occupier of "house and small garden" of sufficient value. He had occupied No. 128 for more than a year, and had changed to No. 129 in the previous March. It was contended that the claim was defective, as it should have expressly claimed in respect of "premises held in immediate succession." It was held (*dis.* Fitzgerald, B.), that the Revising Barrister should have amended, and put the claimant on the register as holding premises in immediate succession: *Kelleher* v. *Tarrant*, 3 Ir. R. C. L. 131.

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THE

LAW OF REGISTRATION IN IRELAND.

CHAPTER I.

THE COUNTY FRANCHISES.

By the 12th section of the 13 & 14 Vict. c. 69, it was provided that, after the 12th day of March, 1851, no person should be entitled to vote at an election of a member or members to serve in Parliament (*a*), unless such person was duly registered according to the provisions of the said Act. By the 135th section of the same Act, the Register was made conclusive evidence that the persons therein named continued to have the qualifications annexed to their names respectively in force at the time of the election. And it was further provided by the 78th section of the same Act, that no inquiry should be permitted at the time of polling as to the right of any person to vote, nor any objection thereto made or received by any returning officer, or his deputy, save only as to the identity of the voter with the person whose name appeared on the Register, and as to whether he had already voted. The

Sedley and M'Gowan, 8 Ir. C. L. 342.

(*a*) Except the University of Dublin.

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right of any man to vote at the time of the election thus depends on whether his name is on the Register. I shall, therefore, at once proceed to consider the nature and description of the qualifications which entitle a man to be registered.

In Counties, the qualifications for being placed on the Register now comprise a freehold and a leasehold franchise, independent of rating, and not requiring actual occupation, which existed prior to the passing of the 13 & 14 Vict. c. 69, and a freehold and leasehold franchise, dependent on rating, created by that, and modified by subsequent Act. The existing franchises in counties may be conveniently classified as follows:—

I. *Independent of rating, and not requiring actual occupation.*

Franchises independent of rating.

1. *A* £50 *Freehold Franchise.*—Persons seised of an estate of freehold in lands, tenements, or hereditaments, of the yearly value of £50, or upwards, late Irish currency, above all charges, if otherwise qualified, are entitled to be registered.

2. *A* £20 *Freehold Franchise* (*a*).—Persons seised of an estate of freehold in lands, tenements, or hereditaments, of the yearly value of £20, or upwards, above all charges, if otherwise qualified, are entitled to be registered.

4. *A* £10 *Leasehold Franchise.*—Persons possessed of lands, tenements, or hereditaments, for the *residue*

(*a*) There is no longer any object in making any distinction between ecclesiastical freeholds and rent-charges and other tenements. All tenements now stand on the same footing.

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of a term (*a*) originally created for sixty years, or upwards, as leases or assignees, and having a beneficial interest of the yearly value of £10, above all charges, if otherwise qualified, are entitled to be registered.

4. *A £20 Leasehold Franchise.*—Persons possessed of land, tenements, and hereditaments, for the residue of a term of fourteen years, as lessees or assignees, and having a beneficial interest of the yearly value of £20, above all charges, if otherwise qualified, are entitled to be registered.

5. *A Copyhold Franchise.*—This has practically no existence in Ireland.

II. *Dependent on Rating.*—Under the 1st and 2nd sections of 12 & 13 Vict. c. 69. Franchises dependent on rating.

1. *A £12 Rated Occupation Franchise.*—Persons occupying as tenants or owners any lands, tenements, or hereditaments, who are rated in the last rate as such occupiers, at the net annual value of £12, or upwards, if otherwise qualified, are entitled to be registered.

2. *A £5 Rated Freehold Franchise.*—Persons who are seised of or entitled for their own use to any estate, legal or equitable, in fee simple or fee tail, or for their own lives (such tenants for life not being lessees or assignees of a lessee or an under lessee), or

(*a*) Where a testator devised a term of 999 years to trustees to pay the rents and annual produce to the claimant for life, and the residue, after his decease, to the children of the claimant, it was held that the claimant was not possessed of the residue of the term originally created, and was not entitled to be registered: *Gainsford* v. *Freeman*, 1 H. & P. 329.

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of or to any estate of freehold for lives renewable for ever, or estate *quasi* entail of such freehold in any lands, tenements, or hereditaments, which are rated in the last rate, at the net annual value of £5, or upwards, and are to the persons so seised or entitled of the net annual value of £5, above all charges, are, if otherwise qualified, entitled to be registered.

The Reform Act of 1832, in the first section, which creates the £10 and £20 leasehold franchises, uses the words, "lands and tenements:" the 13 & 14 Vict. c. 69, in creating the rated franchises, uses the words, "lands, tenements, or hereditaments."

Hereditaments. The word "hereditaments" is more comprehensive than the words "lands" and "tenements;" for it applies not only to lands and tenements, but to some subjects of personal property, and to mere rights which imply a privation of property.

Tenement. The word "tenement" is sufficiently large to comprise not only land, but every profit issuing out of land, as offices, rents, tithes, annuities, tolls, a several fishery, free warren, common of mines, or turbary appendant, and (*semble*) common of pasture (*a*).

An annuity is not a tenement, unless it is charged on lands: when it is so charged by deed, and secured by power of distress it is a rent-charge.

Rent-seck. A rent-seck would appear to stand on the same footing as a rent-charge, since a remedy by distress has been annexed to its reservation by the 11 Anne c. 7, s. 7. It is a tenement, and confers a sufficient

(*a*) *Reg.* v. *Derringham*, 7 T. Rep. 671; *Hinde* v. *Chorlton*, *infra*, p. 6; and Co. Litt. 6 *a*.

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estate for the freehold franchise: *Dodds* v. *Thompson*, 1 H. & P. 285.

If, however, an annuity of £20 late Irish currency were charged on lands in two counties, it would be insufficient in point of value, as it would be apportioned rateably between the lands in both counties according to their value: *West* v. *Robson*, K. & G. 141.

Helis v. *Blain.*

On the 29th of January, 1864, A. conveyed a rent-charge of £50 to B., to the use of the five sons of A., no rent being paid till June, 1864. It was held that the five sons of A. had been in actual possession of the rent-charge for six months previously to the 31st of July, 1864, and were therefore entitled to be placed on the Register, as a grantee, under the Statute of Uses, immediately acquires actual seisin, though a grantee by an ordinary grant at Common Law is not in actual possession until he has received the rent: *Helis* v. *Blain*, 18 C. B. N. S. 90.

Where the grant is at Common Law the claimant must have received some gale thereof six months previous to the 20th of July: *Carroll* v. *Barry*, 15 Ir. C. L. 373 (*a*).

Benefice or office.

A benefice (*b*) or office to be holden for life, and having certain fixed emoluments attached to it (arising out of land), is a tenement. As it is an incorporeal tenement, the appointment to such an office should properly be by deed. If, however, such an office be held not for life, or during good be-

(*a*) Or twelve months previous, in case the estate in the rent-charge was leasehold.

(*b*) *Collier* v. *King*, K. & G. 385.

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haviour, but merely at the *will of others*, it loses its freehold character.

Where W. L. was appointed a schoolmaster "till a person properly qualified should offer," it was held that W. L. had no freehold.

The office (*a*) must be for life, or for what the law considers to be equivalent to an estate for life, *e. g.* during good behaviour, and the interest must be in land in the right of the office.

Easements. Mere easements, such as ways and watercourses, are not tenements. Where by a local Act trustees of a church were empowered to sell in fee-simple the

Pews. pews in the church, with power to the purchaser to re-sell to any parishioner, it was held that a person who bought the fee-simple of a pew from a purchaser from the trustees had no tenement, but merely an easement: *Hinde* v. *Chorlton*, H. & P. 383.

Advowson. An advowson yields no annual profit, and will not, therefore, qualify for the franchise.

The tenement must be situated within the county where the voter claims to be registered: 13 & 14 Vict. c. 69, s. 4.

Shares in rivers, &c. *Shares in Rivers, Canals, &c.*—The members of a corporation aggregate which is seised in fee-simple of freehold lands have no such estate, legal or equitable, in the lands of the corporation as gives them the franchise for the county, although their individual shares in the profits realized from such lands by the corporation exceed forty shillings a-year each: *Acland* v. *Lewis*, 9 C. B. N. S. 32.

(*a*) *Hall* v. *Lewis*, K. & G. 499; *Bushell* v. *Eastes*, K. & G. 484.

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Where a company duly registered under the 19 & 20 Vict. c. 49, and the 20 & 21 Vict c. 14, holds freehold lands, the shareholders have no interest in the lands entitling them, or any of them, to vote for the county wherein the lands lie: *Bulmer* v. *Norris*, K. & G. 321.

As regards unincorporated companies and partnerships, the better opinion appears now to be, that unless the members of the company or partnership are in such occupation as constitutes them at least tenants at will, they are not entitled to be registered.

Baxter v. *Brown*.

In *Baxter* v. *Brown*, lands and mills were vested in trustees, subject to trusts in a deed which declared the premises should be deemed to be personal estate, and held in trust as part of the stock in trade. It was held that each partner took an equitable interest in the realty to the extent of the amount of his shares. Tindal, C. J., observed :—"A freehold estate, in the words of Lord Eldon, though personal in enjoyment, was freehold in its nature and quality, and that it was the nature and quality, and not the mode of enjoyment, the Court had to look to to decide whether the claimant was entitled to vote." He also observed that it was doubtful whether a private agreement could deprive a man of an inherent right: *Baxter* v. *Brown*, 7 M. & G. 198.

Lord St. Leonards subsequently expressed himself as dissatisfied with that decision.

Bennett v. *Blain*.

In a subsequent case, certain lands and buildings thereon, to wit, the Corn Exchange at Manchester, were vested in trustees, subject to the trusts of the Companies' deed of settlement, by which it was de-

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clared, amongst other things, that the shares in the Exchange were to be legal personal estate, the Company was provisionally registered under the 7 & 8 Vict. c. 110, s. 58. The Court held that the provisional registration did not amount to incorporation: that the Company stood on the footing of an ordinary unincorporated Company; but notwithstanding that the shareholders, being only entitled to a share of the profits, had no sufficient equitable estate in the lands to qualify them to be registered. The test appears to be—is the partner or shareholder merely entitled to receive a share of the profits? *Bennett* v. *Blair*, 1 H. & P. 35. This case was followed in *Freeman* v. *Gainsfield*, 1 H. & P. 255.

Rogers v. *Harvey.*

But where A., being lessee of a mill for a term of 99 years at £350 rent, terminable on lives, took B., C., and D. into partnership in the business which he carried on at the mill, they lived in the house with him, and each paid one-fourth of the expenses, including rent, and received one-fourth of the profits, and all four were rated for the premises, it was held that B., C., and D. had each a right to a borough vote, and had properly claimed to have their names inserted on the list of £10 occupiers as for one undivided fourth part of the house and mill: *Rogers* v. *Harvey*, K. & G. 169.

Quantity of estate.

An estate for the life of the holder, or any other person, or for an uncertain period which may extend during life, and is not merely an estate at will, in any of the tenements above enumerated, is a good freehold estate. If the estate be held at the will of another merely, it is an estate at will only and not

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a freehold ; but an estate granted to hold at the will of the holder is in point of law freehold. Thus, where lands were vested by Act of Parliament in certain deputies to be allotted in parcels to certain freemen of a borough to hold at a rent, observing certain rules *as long as they* (the tenants) *should be willing*, but a power of re-entry was reserved to the deputies in case any freemen should be in arrear for fourteen days, or should fail to conform to the rules: it was held that the allotters had an estate of such uncertain duration as to amount to a freehold: *Beeson* v. *Burton*, 12 C. B. 647. Where, however, a schoolmaster was appointed till a person properly qualified should offer, it was held that he had no freehold.

Corporations sole may be registered, but not corporations aggregate; or Scholars and Fellows of colleges who have no freehold save in the right of their colleges. Corporations.

Joint tenants and tenants in common of freeholds over the value of £20 (*a*), and joint lessees under the leasehold franchises, have a right to be registered. Joint tenants, &c.

Joint occupants are also entitled to be registered, subject to certain restrictions, to which I shall afterwards advert.

As regards the period of enjoyment, the 13th section of the 13 & 14 Vict. c. 69, enacts, That no person shall be registered in respect of his estate in any lands, tenements, or hereditaments as a freeholder or copyholder, unless he has been in actual possession, or in receipt of the rents and profits for his own use for six calendar months before the 20th Period of enjoyment.

(*a*) 4 G. 4, c. 36.

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of July in the current year, and in case of lands held as lessee or occupier for twelve calendar months before the 20th of July in the current year, unless the lands, &c., have come to such person within the respective periods of six or twelve calendar months by descent, succession, marriage, marriage settlement, devise, bequest, or promotion, to any benefice or office. Subject to the last-mentioned exceptions, the rule is that freehold franchises require six months' possession, either actual or by receipt of rents and profits, and leasehold franchises and the £12 rated occupation franchise twelve months' possession, either actual or by receipt of rents and profits, before the 20th of July in the current year.

Criterion of value.

With respect to the proper criterion of value, the Bedfordshire Committee resolved, "That the value of the freehold, in right of which the owner votes, is the rent which a tenant would give for it, and not what the owner occupying it himself may possibly acquire from it." Where a man had been offered £15 a year for a plot of building ground, though the land in its actual condition was not worth forty shillings a year, it was held that £15 was the value within the meaning of the Registry Act: *Astbury* v. *Henderson*, 15 C. B. 251.

Distinct premises, held under different leases, made originally for fourteen or sixty years, cannot be grouped to make up the required value; the premises must be held for one term under the same lease.

Where there are joint lessees, each is not to be considered as chargeable with the entire head-rent, but only with the proportion of the head-rent that

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is fairly apportionable on the part of the land in his own occupation: per Woulfe, C. J., Alc. Reg. Cas. 256.

A. and several other persons claimed to be registered for a county as the owners, each of an undivided thirty-fifth share of freehold property producing a nett rental, sufficient to give to each of them £2 0*s.* 6*d.* per annum. This was reduced to forty shillings to each owner, by the allowance of a commission of £5 a year to one of the thirty-five who undertook the management of the property, and the transmission to each of the others of his share. The barrister, having found that "the allowance of such commission was, from the nature of the property, necessary for the collection of the rents," held that the Court was bound by his finding, and therefore could not say that the claimants had a freehold of the clear yearly value of forty shillings: *Sherlock* v. *Stewart*, 7 C. B. N. S. 21.

The question of value is one of fact on which the decision of the revising barrister is conclusive: *Cogan* v. *Luckett*, 2 C. B. 182.

A. occupied solely as tenant land at a yearly rent of £40. He also, jointly with his father, rented and occupied other land at a yearly rent of £64; both occupations were under the same landlord. It was held that A.'s proportion of the joint rent could not be added to his separate rent, so as to constitute a £50 tenancy qualification: *Smith* v. *Foreman*, 18 C. B. N. S. 144.

The value we have seen must be above all charges. By the 10th section of the Reform Act of 1832 it is

Above all charges.

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enacted, "That no public or parliamentary tax, county, church, or parish cess or rate, or any cess or rate upon any townland or division of any parish, barony, or half barony, shall be deemed a charge payable out of any estate or tenement within the meaning of this Act."

Mortgage.

A mortgage, whether legal or equitable, is a charge on the estate, and the interest payable is *pro tanto* a diminution of the yearly value of the freehold; but if the mortgage comprises distinct premises, it may be apportioned according to their value: *Moore* v. *The Overseers of Cerisbrooke*, 12 C. B. 661. The payment of poor-rate by the landlord, under an agreement which the tenant was bound by law to pay, diminishes to that extent the yearly value of the estate. So dower.

A trustee entitled to pay himself forty shillings a-year out of the rents and profits issuing from all the trust lands, part of which is in his actual occupation, has no power to make such annuity issue only out of the rents and profits of that part which he occupies for the purpose of obtaining a qualification to vote; but the forty shillings must be apportioned between the land so occupied by him and the rest of the trust lands: *Mills* v. *Cobb*, 36 L. J. C. P. 75.

Legal and equitable estates.

Thus far I have assumed that the legal estate or equitable or beneficial ownership were united in the person claiming to be registered. When this is not the case, however, and the dry legal estate is in one person, while the equitable or beneficial ownership is in another, the beneficial owner is the only per-

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son now entitled to be registered. By the 13 & 14 Vict. c. 46, sec. 9, it is enacted, that no mortgagee of any lands, tenements, or hereditaments, shall vote in any election of a member or members to serve in Parliament for or by reason of any mortgage estate therein, *unless he be in the actual possession and receipt of the rents and profits thereof;* butthat the mortgagor in actual possession or in receipt of the rents and profits thereof shall and may vote for the same, notwithstanding such mortgage, and that no trustee of any lands, tenements, or hereditaments, shall in any case have a right to vote in any such election for or by reason of any trust estate therein; but that the *cestui que* trust in actual possession or in the receipt of the rents and profits thereof, though he may receive the same through the hands of the trustee, shall and may vote for the same, notwithstanding such trust.

Agreements for leases.

A sufficient equitable interest will entitle a man to be registered either in respect of the freehold or leasehold franchises. As regards agreements for leases, it was resolved by the committee in *Brohan's Case*, K. & O. 469, "That no person be entitled to be registered as a £10 leaseholder unless the lease has been duly executed and delivered to the applicant six months before he came forward to be registered." This, however, was a case of a verbal contract not performed in part, and there seems to be no reason in principle why a tenant let into possession under a verbal agreement for a lease should not be considered an equitable lessee within

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the meaning of the Representation Acts, at least after unequivocal acts of part performance.

Claimant must prove qualification.

By the 37th section of the Registration Act of 1868, it is enacted, That no person claiming to be entitled to vote, &c., shall be registered by any Chairman or Revising Barrister, unless evidence be given to prove such claim. This section was introduced in consequence of the decision in *Boon* v. *Moffit*, 3 Ir. C. L. 189, in which the late Mr. Justice Perrin held that a claim, if unobjected to, could not be inquired into by the Chairman or Revising Barrister. It is, therefore, of importance to understand clearly what the claimant must be prepared to prove to establish his right to be registered in respect of each of the franchises above-mentioned.

Necessary proofs.

£50 *Freehold Franchise.*—A person claiming, &c., to be registered in respect of this franchise, must be prepared to prove—

1st. That he is of age.

2ndly. That he is seised by grant or otherwise of a tenement, value £50, late Irish currency, by the year.

3rdly. That he has been in actual possession, or in receipt of the rents and profits for his own use for six calendar months before the 20th of July in the current year, unless the tenement have come to him by descent, succession, &c.

£20 *Freehold Franchise.*—Except as regards the yearly value, the necessary proofs are the same as in the £50 franchise.

£10 *Leasehold Franchise.*—A person claiming to

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be registered in respect of this franchise must be prepared to prove—

1st. That he is of age.

2ndly. An original lease for a term of sixty years still subsisting, whether determinable on a life or lives, or not.

3rdly. That he is the lessee in said lease, or the assignee of the lessee, *for the unexpired residue* of said term. (A sub-lessee, or the assignee of a sub-lessee, is disqualified.)

4thly. That his beneficial interest amounts to £10 yearly, over all charges.

5thly. That he has been in the actual possession of, or in receipt of the rents and profits thereof for his own use, for twelve calendar months prior to the 20th of July in the current year, unless the lands have come to him by descent, succession, &c.

6thly. In case the original lease of sixty years was made determinable on a life or lives, the claimant should be prepared to show that the life, or one of the lives, was in being (Alcock's R. C., *Clear's Case*, p. 117).

£20 *Leasehold Franchise.*—Except as regards the yearly value, and the length of the term, the necessary proofs are the same as in the case of the £10 leasehold franchise.

In case of joint tenants, tenants in common, and joint lessees, the claimant must further be prepared to show that the aggregate yearly value of the premises is sufficient to qualify all the joint tenants,

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tenants in common, or joint lessees, as the case may be.

I will now proceed to consider the rated franchises, created by the 12 & 13 Vict. c. 69.

£12 *Rated Occupation Franchise.*—A person claiming to be registered in respect of this franchise must be prepared to prove—

1st. That he is of age.

2ndly. That the lands, &c., in respect of occupying which he claims, are rated at the net annual value of £12, or upwards.

3rdly. That he has occupied *all* said lands, &c.

4thly. That he has occupied said lands, &c., as owner or tenant for twelve calendar months before the 20th of July in the current year, unless they came by succession, descent, &c.

5thly. Unless he claims as successive occupant, he must show that *he has been rated,* and paid all rates payable, or duly claimed to be rated, and tendered all rates payable in respect of all said premises before the 1st of January previous.

If he claims as successive occupant, he must show that the lands, &c., occupied by him in immediate succession were all rated at the net annual value of £12, or upwards, and that all rates due in respect of said lands had been duly paid; the claimant need not be rated, though he must be registered, in respect of all said lands.

The subject of joint occupancy will be considered, *post.*

The lands must be rated at the net annual value

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of £12, or upwards, and the rate-books, or a compared copy thereof, are made conclusive evidence of the statements or entries therein contained as to the value of any lands, &c., by the 13 & 14 Vict. c. 69, s. 108. Rate-books conclusive evidence of value.

The claimant must have occupied *all said lands*—that is, all the lands rated, and not merely a portion of the premises rated, though that portion may, in fact, be above the net annual value of £12; thus parting with a portion of the rated premises is a good ground of objection.

Letting to lodgers, when the relation of landlord and *mere* lodger is constituted, and not that of landlord and tenant, is not a parting with possession of any portion of the premises; nor is letting in conacre *now so considered: M'Keown* v. *Bradford*, 7 Ir. J. N. S. 75; *Booth* v. *M'Manus*, 12 Ir. C. L. 420; nor adjisting cattle in the ordinary way: *Hardy's Case*, 4 Ir. J. N. S. 125. Parting with possession.

The claimant must have occupied as owner or tenant. Very difficult and intricate questions very often arise as to whether the occupation of premises is in the character of tenant or in the character of mere lodger or inmate. Occupation as owner or tenant.

Where a house is divided into several sets of rooms, each of which opens on a common staircase without an outer door, and the occupant of each set is entitled to the exclusive enjoyment thereof, and to the uncontrolled access thereto, and the occupier thereof is a tenant, and not a lodger.

Where a house is divided into several sets of

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rooms, and the door of each set opens on a common staircase, if the landlord does not reside on the premises, and the occupant of each set of rooms has a key of the outer door which gives him uncontrolled access at all times, then he is presumed to be tenant; and even where each occupant had not a key of the outer door, the landlord not residing on the premises, it was so held. Where the claimant occupied a room as a counting-house in a house in which the landlord and others had similar counting-houses. There was a wooden gate and a door at the outer entrance which were open all day, but shut at night; a clerk of the landlord lived on the premises to protect them and keep the keys of the gate and door, which could be locked and unlocked only on the inside; it was the clerk's duty to open the gate and door to any of the occupiers if required to do so, none of them having keys: *Downing* v. *Locket*, 5 C. B. 40. In giving judgment, Maule, J., said—"There is in this case an absence of all circumstances showing any control over the right of the occupier so as to reduce the occupation to something less than an occupation as tenant."

So, where appellants were partners in trade and joint owners of a house and offices rated at £113, they occupied part of the premises for the purposes of their trade, but did not reside in the house: the upper portion of the house was let at a yearly rent by lease to Messrs. N. and F., solicitors, who carried on their business but did not reside: there was one servant paid by the appellants, who resided in the

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house and took care of the other premises: the appellants and Messrs. N. and F. had access to their several portions of the premises by the same hall-door, which was locked every night by the servant: it was held that Messrs. F. and N. were tenants, and not lodgers: *Scott* v. *Metcalf*, 10 Ir. C. L. 559.

Where the landlord resides on the premises, and controls, or retains the power of controlling, the access of the occupants to their rooms, they are presumed to be mere inmates, unless by special agreement the rooms are let to the occupant as tenant.

Where the claimant rented two floors and had exclusive control over them and possession of the keys of the rooms which he occupied, he and others living in the house had latch-keys to the street door: there was another lock in the street door, the key of which F. had never seen: the landlord occupied the shop and lived with his family on the premises, but he had never interfered with the rights of ingress or egress of the claimant, who, when he found the street door fastened, entered the house through the landlord's shop: Tindal, C. J., observed—"The landlord gave a limited enjoyment only to the claimant, the street door had a lock for which the claimant had not a key, and his right, though not interfered with, was merely permissive; he could not be said to occupy as owner or tenant, he was strictly an inmate or lodger:" *Pitts and Smedly*, 7 M. & G. 85.

In *Cook* v. *Humber*, K. & G. 424, Erle, C. J., observed that the distinction taken between occupying as a tenant and a lodger is not well founded,

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and that a lodger was a tenant if the premises were let to him, although the owner lived in the same house (*a*). Since the decision in *Cook* v. *Humber*, and in *Stamper* v. *The Sunderland Churchwardens*, the question in every case will be—was there a *letting* of the premises? and the fact that the landlord resides on the premises will not be considered conclusive. When the landlord resides, the presumption will probably be that the lodger is a mere inmate: when the landlord does not reside, the presumption will probably be in favour of a letting, which involves parting with possession.

Occupation.

A bare tenancy without occupation is not sufficient. Occupation does not necessarily imply personal residence on the premises by the claimant or his family. Thus, where claimant's name appeared upon the borough registry as a rated occupier for certain lots of building ground which were untenanted and to be let for building, it was held that the occupation was sufficient: *Bruen's Case*, 4 Ir. J. N. S. 106.

A man may occupy by bales of goods: *The Queen* v. *St. Mary Kalendar*, 9 A. & E. 626.

Occupation by a caretaker is sufficient. Where claimant was objected to on the ground that he resided in another county, and did not personally use or occupy the premises in question, he proved that he paid the rent and taxes and occupied the premises by a servant as caretaker, it was held that the occupation was sufficient: *Bolton's Case*, 4 Ir. J. N. S. 106.

(*a*) *Vide infra*, p. 38.

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Further, the occupation must not be eleemosynary nor in the character of officer or servant.

Where the Revising Barrister found that A. was the keeper of the Guildhall at B.; that the house was the residence assigned by the corporation to the hall-keeper, and in which he was required to reside, and that it was necessary for the due performance of the duties as hall-keeper that he should reside there, it was held that this was an occupation as servant and not as tenant: *Clark* v. *St. Mary*, 1 C. B. N. S. 23.

If the occupation of a particular house is in part performance of official duty or service, it is not an occupation as tenant. In such cases the duty or service is the principal object, and the occupation is only auxiliary to it. But this case must not be confounded with another class of case where a person occupies a house belonging to a public Board or to an individual from whom he receives a salary or wages, and the value of such occupation is accepted in part discharge of such salary or wages: Rogers on Elections, 9th edition, p. 52.

The principles applicable to such cases are clearly laid down by Tindal, C. J., in the case of *Hughes* v. *The Overseers of Chatham*, 5 M. & G. 54. Tindal, C. J., observed "that there was no inconsistency in the relation of landlord and tenant with that of master and servant. A master may pay his servant by conferring on him an interest in real property, and if he be, the servant is entitled to the legal incidents of the estate as much as if he had pur-

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chased it. On the other hand, a servant may occupy a tenement of his master as a payment for his service, but for the purpose of performing it, not being permitted to occupy as a tenant, but required to occupy in performance of the contract to serve. That there was nothing in the above case to show that the party was required to occupy the house for the performance of his services, or did occupy it in order to their performance, or that it was conducive to that purpose more than any other house which he might have paid for in any other way than by his service; and as the case expressly found that he had the house in part remuneration for his services, the Court could not say that the Barrister was wrong in deciding that the relation of landlord and tenant was not established."

Illegal agreement.

Where more than twenty persons farmed land under a partnership agreement, which was illegal under the Companies' Act, 1862, as it had not been registered, held that, as they could not show that they were in occupation without setting up the illegal agreement, they had no qualification : *Harris* v. *Amery*, 14 W. R. 199.

Rating.

The claimant must be rated at the net annual value of £12, but it may be in respect of two or more tenements and at distinct rates. Where it

Nolan's Case.

appeared from the rate-book that claimant was rated not for a single tenement, but as the occupier of two tenements, one the value of £6 10*s.* and the other the value of £3 15*s.*, it was held that such

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was a good qualification under the £8 borough franchise, as the statute contemplated a unity of occupation, and not a unity of rate: *Nolan's Case*, 4 Ir. C. L. 290.

The occupier of lands rated at £12 or upwards, in case his name has been omitted from any rate, may present to the guardians a claim in writing signed with his name, and on his paying or tendering the amount of rate, in case the guardians neglect or refuse to insert his name, he is deemed to be rated in respect of said premises in the said rate: 13 & 14 Vict. c. 69, s. 110.

Where, however, one T. N. was on the books rated for certain premises at £20 5*s.*, and the claimant had duly lodged a claim with the guardians claiming to be rated at £10 5*s.* in respect of a portion of the said premises, which the claimant had occupied for the requisite period, it was held that the premises in respect of which he claimed were not the premises rated, but a portion of them which was not rated, and that he was not entitled to be registered: *Brangan* v. *Shaw*, 10 Ir. C. L. 545.

In this case the claimant should have first required the officer of valuation to make a separate valuation of his portion of the premises, which they are bound to do under the Valuation Act in the month of November in each year.

The collector of rates is bound to attend in person or by deputy on the 1st day of July and three preceding days, to receive payment of rates, at some place in each barony within the Union or part of

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Unions whereof he is collector: 13 & 14 Vict. c. 69, s. 109.

£5 Rated Freehold.—Any persen claiming to be registered in respect of this franchise must be prepared to prove

1. That he is of age.

2. That he is seised *for his own use* of a legal or equitable estate.

(*a*). In fee simple.

(*b*). Fee tail.

(*c*). Or for his own life (not being a lessee or assignee of a lessee, or under lessee).

(*d*). Or of freehold for lives renewable for ever, or estate *quasi* in tail therein.

3. That the lands are rated at the net annual value of £5.

4. That the lands are of the net annual value of £5 at least, over all charges to the claimant.

5. That he has been in the actual possession, or in the receipt of the rents and profits, for six calendar months before the 20th of July in the current year, unless the lands have come to him within that period by descent, succession, marriage, marriage settlement, devise, bequest, or promotion to any benefice or office.

The claimant need not be in actual occupation nor be himself rated in respect of the premises, nor have paid the rate. An equitable estate is sufficient, but a dry legal estate as trustee or mortgagee not in possession is not. If the value of the freehold be under £20 Irish the claimant is within the provisions of the 4th of George IV. c. 36, which

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enacts—"That it shall not be lawful for any person to register any freehold under the yearly value of £20, held by virtue of any lease, deed, or other instrument given or executed to any person or persons jointly, in common, or partnership, after the 1st day of July, 1823."

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CHAPTER II.

THE BOROUGH FRANCHISES.

In cities and boroughs, the franchises which now exist are the following:—

1. The £50 freehold ;
2. The £20 freehold ;
3. The £10 leasehold ;
4. The £20 leasehold ;

as in counties, to which the observations made in Chapter I. are also applicable.

5. The forty shilling freehold.
6. The £5 inhabitant household franchise. In cities, towns, or boroughs, which are not counties in themselves (*a*).
7. The freeman franchise.

And also under the Act of 1868.

(*a*) A borough is a town, either corporate or not, that sends burgesses to Parliament.

"There are also counties corporate, which are certain cities and towns, some with more, some with less, territory annexed to them; to which, out of special grace and favour, the Kings of England have granted the privilege to be counties of themselves, and not to be comprised in any other county, but to be governed by their own Sheriffs and Magistrates, so that no officers of the county at large have any power to intermeddle therein."—Bla. Com.

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8. "The more than £4" rated occupation franchise.

9. The lodger franchise.

"Some persons contend that one class of £10 freehold franchise has been preserved in counties and certain cities and towns by the 13 & 14 Vict. c. 69, viz. :—A £10 freehold for leases of lives renewable for ever, on the ground that such a franchise does *not* require *actual occupation;* but the question appears to be one of considerable doubt: for while, on the one hand, the Chairman of the county of Dublin has decided *against* the existence of such a franchise in counties (and the question has not been tried on appeal), the Revising Barristers of the city of Dublin have ruled *in favour* of that qualification, and have even refused to allow an appeal from their decision, and several persons possessing that qualification are registered as voters for the city of Dublin." —*Manual of Instruction for the use of Liberal Agents in Ireland*, p. 15.

The forty-shilling freehold franchise.

As regards the forty shilling freehold franchise, it is enough to say, that the freehold may be in any tenement except a rent-charge, and must be of the clear value of forty shillings Irish, over all charges. The claimant must have been registered as a forty shilling freeholder, and entitled to vote as such on the 7th of August, 1832; must have since continued seised of the same lands and tenements, and must have resided for six calendar months next previous to the 20th of July in the current year in the borough, or within seven miles of the usual place of elections therein. Any person claiming in respect of the

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The inhabitant household franchise.

inhabitant household suffrage must be prepared to prove that the value is £5 Irish by the year; that he was an inhabitant householder in the borough on the 7th of August, 1832, and has since inhabited the same house; and, lastly, that he has paid, on or before the 1st of July, all poor rates payable by him in respect of said house previous to the 1st of January in the current year.

The freeman franchise.

The Freeman Franchise.—Any person claiming to be registered in respect thereof must be prepared to prove that he is a freeman by

Birth,

Marriage, or

Service;

Or, secondly, that he is an honorary freeman admitted before the 30th of March, 1831.

The certificate of admission, signed by the Town Clerk, is *primâ facie* evidence; but it is competent for the Chairman or Revising Barrister to receive evidence to rebut the presumption. Free burgesses elected after the passing of the Reform Act do not acquire a right to vote: *Downing and Morphy*, 15 Ir. C. L. 382.

The grandsons of freemen in the city of Dublin, whether in the maternal or paternal line, are entitled to the freedom of the city. The son of an honorary freeman created after the 30th March, 1831, is entitled, if otherwise qualified, to be registered as a freeman; but in all cases the father must have been free of the city when the son claiming by birth was born: *Orpin's Case*, 6 Ir. C. L. 432.

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Service.—A freeman, by taking an apprentice who serves him, confers the franchise. But if the apprentice serves another master, who is not a freeman, or a portion of his term of apprenticeship, even at the request of his original master, he acquires no right : *Lucas's Case*, 6 Ir. C. L. 430.

Mode of measuring distance.

As regards the mode in which the distance of seven miles is to be measured, the 13 & 14 Vict. c. 69, sec. 112, prescribes that it shall be measured in a straight line ; and that where there is an ordnance map of the borough, the distance shall be measured and determined by the said map.

A mandamus will lie to compel the Mayor to place a man's name on the freemen's roll.

The more than £4 rated occupation franchise.

The more than £4 rated occupation franchise stands on the same footing as the £12 rated occupation franchise in counties, except as regards the provisions respecting joint and successive occupancy.

The 13 & 14 Vict. c. 69 s. 6, enacts:—

"That where any lands, tenements, or hereditaments as aforesaid within any such city, town, or borough, shall be jointly occupied by more persons than one as tenants or owners thereof; and such persons shall be rated in such rate as last aforesaid jointly, in respect of such premises, each of such persons

The Representation Act, 1868, s. 6, enacts:—

"In a county where premises are in the joint occupation of several persons as owners or tenants, and the aggregate rateable value of such premises is such as would, if divided amongst the several occupiers, so far as the value is concerned, confer on each of them a vote, then each of such

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sons shall, subject to the conditions hereinbefore provided as to a person occupying lands, tenements, or hereditaments in any such city, town, or borough, be entitled to vote at any election of a member, or members, to serve in Parliament for the city, town, or borough within which such premises are situate, in case the net annual value of such premises as appearing on such rate, when divided by the number of persons rated jointly in respect thereof, shall give a net annual value of £8, or upwards, for each of such persons, but not otherwise." joint occupiers shall, *if otherwise qualified*, be entitled to be registered as a voter, and when registered to vote at an election for the county, provided always that not *more than two persons* being such joint occupiers shall be entitled to be registered in respect of such premises, unless they shall have derived the same by descent, succession, marriage, marriage settlement, or devise, or unless they shall be *bonâ fide* engaged as partners, carrying on trade or business thereon."

The joint occupiers must be rated jointly, and appear on the rate book as jointly rated. In counties this would also appear to be necessary, under the words "otherwise qualified," which I understand to mean qualified in the other requirements besides value, namely, by being rated and by occupying for the prescribed time.

According to the interpretation of the words, "otherwise qualified" in the one Act are equivalent to the words "shall be rated in such rate as last aforesaid jointly in respect of such premises, and

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such persons shall, subject to the conditions hereinbefore provided as to a person occupying lands," &c., in the other. The forms Nos. 1 and 2 in Schedule A. of the Registration Act of 1868 support this view.

If more than two persons are returned as joint occupants in counties where only two are entitled to be registered, the Revising Barrister will strike out all but the two first names: 12 Sol. Jour. 839.

The names are to be arranged alphabetically on the lists: 31 & 32 Vict. c. 112, s. 31.

It is not necessary that the occupation should be with a common purpose; where two persons occupy distinct portions of a house by agreement, paying rent and taxes for the same, it was held a joint occupation: *Johnston's Case*, 5 Ir. C. L. 49.

Where two houses were built on ground demised to trustees on behalf of the parishioners of the parish, and were occupied by a parish priest and seven curates, each of whom had separate rooms, and all two rooms in common, the rated value of the premises, when divided by eight, being sufficient to qualify in point of value; it was held that they occupied as tenants at will premises, the rated value of which, divided by the number of occupants, gave to each a sufficient qualification: *Meyler's Case*, 5 Ir. C. L. 54.

Where several persons occupied premises jointly, some of whom were rated to the poor, others not, and the value of the premises, if divided by the number of *persons rated*, would give the suitable qualification to vote; but if divided by the *number*

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of occupiers, would be too small; held that none of the occupiers was entitled to be registered: *M'Dowell's Case*, 6 Ir. C. L. 434.

Three persons were joint owners and occupiers of premises in the borough of Carlow, rated at the annual value of £35. Two of these were not rated for the premises, but the claimant to register was rated for the whole: held that the claimant was entitled to be registered, though the other joint occupiers were not on the rate-books: *Sheane's Case*, 7 Ir. C. L. 306.

Six persons were jointly lessees of a house at a rent of £200, but the premises were occupied by a voluntary association called "The Anti-Corn Law League." More than twenty other parties, members of this association, subscribed various sums of money to a common fund for the purposes of the association. The six lessees were subscribers to this fund, out of which the rent and the wages of the servants who had charge of the premises were paid. Various members of the association transacted its business on the premises. The lessees, when in London, were daily on the premises, partly transacting the business of the association and partly their own affairs: held, that the six lessees occupied as tenants, and that their occupation was sufficient: *Luckett* v. *Bright*, 2 C. B. 193.

Luckett v. *Bright.*

The respondents were co-lessees of certain premises, and jointly liable to the rent and taxes of the same. It did not appear that they used the premises for their own purposes. Two separate societies

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occupied portions of the premises as tenants from year to year, and paid rent for them. One servant was in charge of the entire premises. The rent and taxes for which the respondents were liable and the servant's wages were paid by means of subscriptions unpaid by members of the two societies, who were under-tenants, held, reversing the decision of the Revising Barrister, that the respondents were not entitled to register out of the premises: *Corcoran's Case* 10 Ir. C.L. 547. In this case Baron Green observed, in giving judgment: "The case of *Luckett* against *Bright* was pressed so strongly upon us in the arguments at the bar, that I think it necessary to show the distinction between that case and the present at some length. The persons there claiming to register were persons subscribing to the common fund out of which the rent of the premises was paid, and were members of the society for the purpose of which the premises were occupied, and when they came to London these claimants used to transact business, partly that of the society to which they belonged, and partly their own, in the premises:" *vide infra*, *Stamper* v. *Sunderland Churchwardens.* *Corcoran's Case.*

Destruction of Premises by Fire.—A party rated as occupier of houses and yard does not lose the right to register on the list of voters by reason of the houses being destroyed by fire, he still continuing to hold the site on which they stood: *Whitley's Case*, 14 L. T. N. S. 899, Ir. Destruction by fire.

As regards successive occupancy, the 7th sections of the 13 & 14 Vict. c. 69, and the Representation Successive occupancy.

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Act of 1868, enact—"The premises in respect of the occupation, of which any person shall be entitled to be registered in any year, and to vote in the election for any county, city, or borough, shall not be required to be the same premises, but may be different premises, occupied in immediate succession by such person during the twelve calendar months next previous to the 20th day of July in each year, such person having paid on or before the 1st day of July in such year, all the poor rates which shall, previously to the 1st day of January in such year, have become payable from him in respect of all such premises so occupied by him in succession.

We have already seen that the premises occupied in immediate succession should all appear on the rate-books, and be rated at the requisite value, and that the claimant should occupy the whole of the premises so rated in each case.

A claimant to vote for a borough in respect of different premises occupied in immediate succession under 2 William IV. need not show that he has been rated by name on the rate-books for the premises for which he claims to vote; provided he has paid all the rates, according to that Statute he is entitled to vote: *Rogers' Case*, 7 C. B. N. J. 29.

The voter must be registered in respect of all the premises occupied in immediate succession, which should be particularly set forth in his claim.

The not-rated occupation franchise.

A temporary exception, which is applicable only to the next registration of voters, is created by section 20 of the Representation Act of 1868, which

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enacts:—"That in the boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, every man who would be entitled to be registered at the next registration of Parliamentary voters under the provisions of this Act, in respect of the occupation of lands, tenements, or hereditaments (for which the owner or immediate lessor at the time of the passing of this Act is liable to be rated to the poor rate, instead of the occupier), if he had been rated to the poor rate in respect of the said premises, and had duly paid the said poor rate, shall, notwithstanding that he had not been so rated, or paid any rate, be entitled to be registered at the next registration of Parliamentary voters.

The lodger franchise.

The lodger franchise is created by the 4th section of the Representation Act of 1868, which enacts as follows:—Every man shall be entitled to be registered as a voter, and, when registered, to vote for a member or members to serve in Parliament for a city, town, or borough, who is qualified as follows, that is to say—

1. Is of full age, and not subject to any legal incapacity; and

2. As a lodger, has occupied in such city, town, or borough, separately, and as sole tenant for the twelve months preceding the 20th day of July in any year, the same lodgings, such lodgings being part of one and the same dwelling-house, and of a clear yearly value, if let unfurnished, of ten pounds or upwards; and

3. Has resided in such lodgings during the twelve

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months immediately preceding the 20th day of July, and has claimed to be registered as a voter at the next ensuing registration of voters.

Sub-sec. 1. As to whether females, if otherwise qualified, may claim to be registered in respect of this franchise: see chapter on Legal Incapacity.

Sub-section 2nd provides that—

Sub-sec. 2. (*a*). The claimant must be a lodger.

(*b*). Must be separate occupant.

(*c*). Must be sole tenant.

Let us pause to consider what is the legal construction of these requirements. The words "lodger," and "lodgings," have not been defined in the Irish Act, nor in the English and Scotch ones. The Act appears to contemplate two classes of lodgers, namely, lodgers who occupy as tenants, and lodgers who do not so occupy, and excludes the latter class from the franchise. Now, what is the class of lodgers that occupy as tenants? In *Cook* v. *Humber*, K. & G. 413, Erle, C. J., in delivering the judgment of the Court, observed:—"It seems to me that a lodger is a tenant, if the premises are let to him. It was so decided in *Newman* and *Anderton*, 2 N. R. 226; there in replevin the avowry was for rent of ready furnished lodgings, let at twelve shillings a-week to plaintiff, and held by him as tenant thereof. The letting was proved as laid, and there was judgment on the avowry for the defendant. If the occupier of the premises is tenant of them, he occupies as tenant. . . . . Again, it seems to us immaterial to inquire whether the tenant of a room has

Cook v. *Humber*. Judgment of Erle, C. J.

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the exclusive possession, that is, possession free from servitudes or rights of entry reserved by the landlord. . . . The requirement of at least a tenancy excludes some occupations of less independence, such as servants for their service. For example, the porter to a lodge, the gardener to a garden, and also as that of a surgeon to an hospital, of rooms therein, and the occupation of premises by objects of charity. These, and the other cases of occupation, inferior in right to a tenancy, are excluded by the requirement that the occupier must be at least the tenant, but if he is tenant, he occupies as tenant, and it is immaterial what denomination of tenant he is classed under, whether as lodger, termor, a lessee, or what not. . . . The common meaning of lodgings is, part of a house used for residence." If the requirement of occupying as tenant (*a*) should receive this construction, it will be necessary for the claimant to prove, in every case, a contract which amounts to a "letting" of the premises; and occupations of an eleemosynary and menial character would not be sufficient. The words, "separately" and "sole" appear to have been introduced, in order to exclude joint occupants, and joint tenants; and the words "same lodgings," to exclude successive occupancy. The omission of the word "separately" in the form of claims, given in the schedule, will not deprive it of its proper significance in the section creating the franchise.

"Separately." "Sole." "Same."

Sub-section 2 further provides:

(*a*) *Vide* p. 47.

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(*d.*) That the claimant must occupy the same lodgings for twelve months before the 20th of July in any year.

(*e.*) That such lodgings *must be part of* one and the same dwelling-house.

(*f.*) Of the clear yearly value, if let unfurnished, of ten pounds.

This portion of sub-section 2 also appears to divide lodgers into two classes, namely; one class occupying lodgings which were *part of* a dwelling-house, and another occupying lodgings which were in point of law *separate dwellings in themselves*, excluding the latter class from the lodger franchise.

Judgment of Smith, J.

In *Stamper* v. *The Churchwardens of Sunderland*, Montague Smith, J., in delivering his judgment, observes: "As far as I can collect the intention of the Legislature from the language used, it is meant to make a distinction between the occupiers of mere rooms and apartments in an ordinary house, and the occupiers of small houses and parts of houses as defined in the interpretation clause, *i.e.* occupied as 'separate dwellings,' such as chambers in the Inns of Court. The first are really and practically lodgers, differing from lodgers properly so called only in this, that the owner does not live in the house, but lets it out wholly instead of partially in lodgings. The Legislature may well have intended that the occupiers of mere apartments should not be rated as 'ordinary occupiers,' and it may have been governed by two considerations in making the distinction to which I have adverted; first, the great inconvenience of assessing the occu-

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pants and collecting the rates of separate rooms in houses of this description as a purely rating question; secondly, the anomaly which might exist in the franchise, if a lodger properly so-called, that is, a man who lived in a house partially let in lodgings, was not entitled to the franchise unless his lodgings unfurnished were of the value of £10 a year, whilst the man who occupied one room in a house wholly let out in lodgings was entitled to it, however small the value of his own rooms might be."

"I have endeavoured to reach the mind of the Legislature, though the words they have used, adopting the rule of construction given by Lord Wensleydale in *The King* v. *The Inhabitants of Banbury*, 1 A. & E. 142, viz.—'The right rule of construction is to intend the Legislature to have meant what they have actually expressed, unless a manifest incongruity would result from doing so, or unless the context clearly shows that such a construction would not be the right one.' The above construction will not affect the case of occupiers of apartments in houses so constructed as to be occupied separately, and which, by actual severance, are separate dwellings, as chambers in the Inns of Court. These, if not dwelling-houses, are clearly parts of houses 'occupied as separate dwellings,' and are not, as I think, 'apartments or lodgings' within the meaning of these words in the 7th clause. It was made a question, during the argument, whether the room occupied by the appellant was a 'dwelling-house' at all within the meaning of the Act, even

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as a dwelling-house is interpreted, and whether the distinction between dwelling-house and lodgings, depending on the principle of actual severance in the structure of the dwelling-house, as defined in the cases of *Cook* v. *Humber*; *Henrette* v. *Booth*, was not intended to be preserved by the late Act.

"I do not think it necessary to decide whether the room in question ought to have been deemed to be a part of a house as defined in the interpretation clause or not, supposing the case had to be decided on that ground alone, and the exception in the 7th section had not been introduced into the Act, because I think, for the reasons already given, this room is an apartment or lodging within the meaning of that exception, and that liability to be rated is governed by that enactment. The consequence will, no doubt, follow, that the present applicant will only be entitled to vote, if at all, upon the lodger franchise. The question of the right to vote is not directly before the Court, but reasons may be suggested for considering the occupiers of the house in question to be 'lodgers' within the 4th clause. It may not be necessary to confine the meaning of the words 'as a lodger' to lodgers properly so called in a statute which (in the 7th clause) uses the words, a house 'wholly let out in lodgings.'

"It may be that the Statute can be so construed as to include under the term 'lodgers' both the persons who live in houses partially let out in lodgings, and in which the owner resides, and those

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who live in houses wholly let out in lodgings, especially where, as to the latter class, the owner of the house is made liable to be rated. The word 'lodger' is not defined in the Act; but the provisions to which I have adverted may tend to show that the word was not used in the confined sense of 'mere lodgers'—to quote the words of Maule, J., in *Toms* v. *Lockett*, 5 C.B. 23—but in a more enlarged sense intended to describe the occupants of lodgings, such as those existing in the present case, which are neither houses, nor severed and separate dwellings, such as chambers and flats. *It was said by the Court in Cook* v. *Humber, that a 'lodger' is a tenant 'if the premises are let to him.' There is no doubt that that is so, although the owner lives in the same house;* and that for many legal purposes there is no distinction, as regards the occupants of lodgings, between the cases where the house is partially let out, and where it is wholly let out, provided that the lodgers in each case have the right to the exclusive possession of their rooms. If the above construction be correct, the operations of the 7th clause, taken as a whole, will be—that, as regards the occupiers of lodgings, where the house is wholly let out in apartments, as in this case not separately rated when the Act passed, the owner, and not the occupier, must be rated, and the occupiers will be entitled to vote, if at all, upon 'the lodger franchise.'"

Stamper v. *The Sunderland Churchwardens.* Facts of case.

In this case, a house originally built as a residence for one family, was let out in single rooms by the week, the landlord not residing in the house, or

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exercising any control over it, and the tenants having exclusive possession of their own rooms, and uncontrolled access thereto, together with the use of the common staircase and offices belonging to the house. The Overseers of Sunderland rated Stamper and the other tenants, as being "occupiers of a dwelling-house or separate tenement" under section 7 of the 30 & 31 Vict. c. 102. Stamper contended that he was exempted by the exception in section 7, which provides, "That where the dwelling-house or tenement shall be wholly let out in apartments or lodgings not separately rated (which the Court held to mean *not liable to be separately* rated), the owner of such dwelling-house or tenement should be rated. The Court held that Stamper's room was an apartment or lodging within the meaning of the exception, and that he was not liable to be rated.

Judgment of Byles, J.

In the same case, Byles, J., in delivering judgment, observed:—"I collect from the case that the appellant, though he may be called 'a lodger,' in the popular sense of that word, is more than a mere lodger in its strict sense, for he has the exclusive occupation of a particular room, and has a right to use the outer door, the staircase, and other conveniences, as easements appurtenant to his occupation, the owner not residing on the premises, and therefore not retaining his control over the outer door or his character as master or *paterfamilias*. The word 'lodger' is nowhere defined in the Act, and section 4, sub-section 2, speaks of him occupying separately and as sole tenant

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part of a dwelling-house, from all which it may be argued that the Legislature, even in section 4, did not use the word 'lodger' and 'lodgings' in this narrow and strict legal sense, but in the popular sense, so as to comprehend occupiers of rooms where the rooms form part of a dwelling-house and were not intended and constructed to form complete separate dwellings, as they do in the flats of Edinburgh or the chambers at the Inns of Court, or in the houses in Victoria-street. Flats are as much separate dwellings as adjoining houses are. The difference is, that flats are under the roof, and are divided from one another by a horizontal plate, but ordinary adjoining houses by a perpendicular or vertical plate; and, independently of the introduction in section 4 of the word 'occupy,' it may be remarked that it is a recognized rule in the construction of Acts of Parliament that words are to be taken in their ordinary and popular sense, unless the context requires a different sense. It may be, therefore, that the appellant is within the meaning of the Statute as 'lodger,' but the precise question is, perhaps, not before us."

When the rooms in a house are constructed and intended to form separate dwellings, the tenants of them are not lodgers occupying *part* of a dwelling-house, within the meaning of the section, but rooms which are separate dwellings in themselves by actual severance.

Model lodging-house.

In *Henrette* v. *Booth*, H. & P. 23, the claimant occupied the whole of the upper floor, consisting of

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two rooms in a model lodging-house, using one room as a shop, and the other to live in. The rooms opened one into the other, and communicated with the staircase by an outer door, of which the claimant had the exclusive control; the rooms below were occupied in a similar manner. The communication from the street to the several holdings was by a door-way leading into a passage, and so to a staircase common to all the tenants. At the entrance to this passage was a door without any fastening, which was open all day, but generally swung to at night. The Court held that the claimant's rooms constituted a separate house.

"Dwelling-house."

In the English Act the interpretation clause provides that "dwelling-house" shall include any part of a house occupied as a separate dwelling, and separately rated to the relief of the poor. This definition has been omitted from the interpretation clause of the Irish Act, which removes one source of obscurity.

There are thus two classes of lodgers not within the franchise—first, lodgers who are not tenants; secondly, lodgers who occupy "separate dwellings," though such separate dwellings be part of one house, such as the Inns of Court, London, or the University of Dublin, or a model lodging-house. It is stated in some of the *brochures* that have appeared on the late Act, that a lodger, occupying premises of the requisite value, may underlet portions of the premises without losing his right to be registered. This is, in my opinion, only partially correct; for if a lodger,

Can a lodger underlet.

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occupying as tenant, sublets to another lodger a portion of the premises to occupy as tenant, the under lessee would be a joint occupant with the lessor, and the lessor would not occupy "separately" within the meaning of the Statute. If, however, a lodger permitted another person to occupy a portion of the premises as inmate, and not as tenant, his legal occupation of the whole would not be determined: *Duigenan's Case*, Alc. Reg. Cas. 114. A person occupying under a contract for board and lodging does not occupy as tenant within the meaning of the Act, nor does such a contract require to be in writing under the Statute of Frauds: *Wright* v. *Stavert*, 8 W. R. 750.

Board and lodging.

I do not think it necessary to consider what is and what is not a dwelling-house, or what is or is not sufficient occupation within the meaning of the Act, as occupation is included in residence as tenant, and residence imports that the house is a dwelling-house. If the claimant has *de facto* occupied as a tenant and resided for twelve months in part of a house, it could scarcely be contended that the house was not a dwelling-house.

Occupation and dwelling-house.

Sub-section 3 requires—

(*a*). That the claimant has resided in such lodgings for twelve months *immediately preceding*, &c.;

Sub-sec. 3.

(*b*). And has claimed to be registered as a voter at the next ensuing registration.

A permanent unbroken dwelling in a particular place is not required to constitute residence. A man may have several places of residence. As soon

Residence.

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as it is established that a man has a home at any place where his wife, his family, or servants are always ready to receive him, the amount of personal residence, provided it be substantial and not colourable, is immaterial. The occupation of offices, &c., during the day-time for business purposes does not constitute a residence within the meaning of the Act. Where the claimant had a home occupied by his family and servants, but was imprisoned, without the option of paying a fine for five out of the six months then required for the franchise, in a gaol out of the borough, it was held he had not resided within the meaning of the Act: *Powell* v. *Guest*, 18 C. B. N. S. 72. There must be the power of returning at any time, and an intention to return whenever it may suit the claimant's pleasure or convenience: Rogers on Elections, p. 101, 11th Edition.

A person claiming in respect of the lodger franchise must send in a fresh claim every year.

How lodgings may be let.

Lodgings may be let in the same manner as lands and tenements; in general, however, they are let either by agreement in writing between landlord and tenant, or by verbal agreement.

Tenancies from year to year, or for any shorter period, may be created without writing; if for a greater period, a deed executed, or note in writing, is necessary. Where the tenancy is created by note in writing, the claimant should produce it at the hearing of the claim, properly stamped. It may be well to observe here, that though a letting of lodg-

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ings, if from year to year, or for less than a year, need not be by note in writing, an agreement to let lodgings cannot be enforced, unless it is evidenced by note in writing under the Statute of Frauds.

"Clear value."

The words "clear value" do not appear to imply anything more than the word "value" itself. The issue the Revising Barrister has to try is, is the terms of the section itself—Would the lodgings, if let unfurnished, let for £10 a year?

The form of the claim will be hereinafter considered. For the present, it is sufficient to observe, that the heading of the fourth column is, "Name of landlord to whom rent paid," clearly pointing to the relation of landlord and tenant as the condition of the franchise. No person rated as an occupier can be registered as a lodger: 31 & 32 Vict. c. 112, s. 35.

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CHAPTER III.

LEGAL INCAPACITY.

In addition to the qualifications mentioned in the two preceding chapters, a person claiming to be registered must be—

1. A male person of full age.
2. Subject to no legal incapacity.

8 Hen. VI. c. 7. "People."

The words of 8 Hen. VI. c. 7, are, "Shall be chosen by the people, whereof every one of them shall have free land or tenement to the value of forty shillings."

Act of 1832. "Male person."

The words of the Representation Act of 1832 are, "Every male person of full age, and not subject to any legal incapacity, shall be entitled to vote at the election, &c."

13 & 14 Vict. "Male person."

The words of the 13 & 14 Vict. c. 69, are, "Every male person of full age, and not subject to any legal incapacity, if duly registered according to the provisions hereinafter contained, shall be entitled to vote, &c., provided no *such* person shall be registered, &c."

Act of 1868. "Man."

The words of the Representation Act of 1868 are, "Every *man* shall be entitled to be registered as a voter, and, when registered, to vote for a member,

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&c., who is qualified by being of full age, and not subject to any legal incapacity."

The claimant must have attained his full age, which he does on the first moment of the day before the 21st anniversary of his birth-day: thus a man born on the 2nd of January, 1800, attains his full age at the first moment of the 1st of January, 1821. Full age.

To entitle a party to be registered under 2 William IV. c. 45, s. 27, in respect of the occupation of premises, it is not necessary that he should have been of full age during the whole of the prescribed period of occupation: *Powell* v. *Barker*, 18 C. B. N. S. 65.

By the 13 & 14 Vict. c. 21, s. 4, it was enacted, That, in all Acts passed after the commencement of the next ensuing Session, *words importing the masculine gender* should be deemed and taken to *include females*, unless the contrary as to gender was expressly provided. This section, of course, did not apply to the franchises created by the 13 & 14 Vict. c. 69, and does not apply to "the more than £4" franchise created by the Act of 1868.

A question, however, arises whether the word "man" includes females in the section creating the lodger franchise. On the one hand, it is urged that the word "man" is a generic term, and does not import the masculine gender. This would appear to admit that the word "man" is just as capable of comprehending females as males, and there does not appear to be any sufficient reason for Female suffrage.

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excluding females. On the other hand, if the word "man" should be held, as used in the Act, to import the masculine gender, females would be included by the operation of the 13 & 14 Vict. c. 21, as "the contrary as to gender" is not expressly provided by the Act of 1868.

In the Registration Act of 1868 Town Clerks and Clerks of Unions are directed to return the names "of all *male persons*" on their lists of voters: the words "male persons" here appear to include females, though the Revising Barrister would be bound to strike the names of females off the lists, as they are not entitled to be registered in respect of any of the rated occupation franchises.

In England this question has a much wider application, as it arises in respect of all the franchises created by the late Act.

Poor law.

Females have been admitted, and their right has never been questioned, to vote at the elections of poor law guardians. In the Poor Law Act elector is defined by ratepayer, ratepayer by occupier, and occupier by person. If person is large enough not to exclude females without express provision, there seems to be no reason why "man," if a generic term, and used in that sense in the Act, should not include females.

A more difficult question is—Are females excluded under the exception as to legal incapacity? Is their sex a common law disqualification from voting at the election of members to serve in Parliament? The subject was considered

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in the case of *Reg.* v. *Crosthwaite*, 17 Ir. C. L. 463.

The Towns' Improvement (Ireland) Act, 1854, provides—"That words importing the masculine gender, except only the word 'male,' shall, in the construction of the Act, be deemed to embrace females, *unless the subject or context* be repugnant to such construction." The class of voters was defined by the word "person," but the masculine pronoun "his" was used in the sections creating the franchise. The question then arose, was there anything in the subject or context repugnant to construing "persons" to include females? The Court of Queen's Bench unanimously held there was not. The Court of Exchequer Chamber, however, reversed the judgment of the Queen's Bench, Monahan, C. J., and Pigot, C. B., and Ball J., *dissentientibus*. The majority were, Deasy, B., Fitzgerald, B., Keogh, J., Christian, J. Thus, there were seven judges for allowing females to vote overruled by four, who were against it. Fitzgerald, B., in his judgment, said that it plainly lay on the relator to show repugnancy in the context or subject, and rested his judgment mainly on the fact, that there was repugnancy in the subject, as the fact of being a woman amounted at common law to legal incapacity to vote at (amongst others) elections of members to serve in Parliament. In his judgment, Fitzgerald, B., observed:

Reg. v. *Crosthwaite.*

"The law then regards the female as less worthy than the male; and she is subject to incapacities founded on inferiority of bodily ability, and on a

Judgment of Fitzgerald, B.

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presumed inferiority of discretion and judgment, and also on reasons of decency. And it seems certain that for some or for all these reasons women are excluded from certain offices and from the exercise of certain rights, of which men are capable. . . .

"I myself entertain no doubt that the weight of written authority is in favour of the position that women were incapable of voting for members of Parliament and coroners. This, however, has been questioned; but what I regard as infinitely more satisfactory and decisive to my mind than any dictum, is that from the earliest records of the law, no case is to be found in which a woman's right to vote at an election to any office of public trust has been asserted and admitted in our courts. . . .

"The existence of this state of things gives to such Acts as the Reform Act and the Municipal Reform Act, which expressly exclude women as electors, an entirely different effect from what they might otherwise have as exceptional legislation, because it shows that the qualification of 'male' is introduced, not by way of exception, but by way of recognition of the existing state of things. Just as in the Act before us, the introduction of the qualifications of 'full age' is only a recognition of the incompetency of infants.

"I cannot persuade myself that the Legislature by implication, by the mere force of an interpretation clause in a general form, now common to almost every Act, intended to alter this state of

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things, or that the Statute should be construed without reference to the rule of the common law, as plainly recognized in cases of the same kind."

Statutes in *pari materia.*

It is to be observed, that in "*The Queen* v. *Crosthwaite*," the argument from previous Statutes in *pari materia*, where the word "person" was confined to males, was much stronger than in the present case, because the previous Statutes in Ireland use the words "male person," the Act of 1868 the word "man."

Judgment of Pigot, C. B.

Pigot, C.B., in his judgment, said—"I am perfectly at a loss to understand the proposition—I can hardly embrace it—that there is a common law disability in women to exercise such functions as are necessary to the election of Town Commissioners. I cannot do that in a country in which it is part of the common law of the land that a queen may reign. Who is our present gracious Sovereign? A woman. I cannot solemnly determine that a female is unfit, by reason of a common law disability, to vote in electing a Town Commissioner, while I administer law under a female sovereign. I can conjecture how such an argument as this would have been received at a period of our history some three centuries nearer than the present, to the fountains of our common law. I have looked into a rather curious Act of Parliament, as it bears upon the present case (an Act, be it observed, expressly declaratory of the common law), passed in the reign of a female predecessor of her present Majesty. It is that Statute which, in order to re-

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move any doubts upon the subject, declares the right of a female to succeed to the Crown. I find there not only a declaration of the common law, but a most indignant repudiation of the doctrine, that there is in females, by the common law, a disability to inherit the Crown of England. . . . .

"With respect to the elective franchise, we are all aware that in counties it was originally enjoyed by the freeholders who were required attending at the Sheriff's Court, to return knights of the shire to Parliament. It was not until comparatively recent times, that Statutes were passed regulating the freehold franchise, and these Acts, from the very first of them, expressly named the sex of the persons by whom the franchise was to be enjoyed. This was plain and express legislation, including one sex, and so excluding the other. . . . .

"But this withdrawing, by express legislation, of women from scenes of turmoil and agitation cannot warrant us in holding that there is in women, at common law, a disability, by reason of presumed mental incapacity, which prevents them from voting in the election of persons having the power of imposing local taxes. No Statute has so enacted. No decision of any Court has affirmed the incapacity of women for transacting matters of that nature. Several *dicta* have been cited, but they are mere *dicta* of individual Judges; and I am not aware of any decision—certainly none has come within my own observation, and none has been cited at the bar—in which the incapacity of women

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to discharge functions analogous to those has been pronounced by a court of law. . . .

"I cannot bring my mind to the conclusion *that we are at liberty to construe this Act other than as its words plainly import, or to interpret the express legislation of the glossary as if these words had a flexibility that enabled the Court to mould and apply them according to the mere opinion of Judges as to the delicacies or proprieties of the female character, or as to the expediency or inexpediency of conferring functions of this kind upon women*:" *Reg.* v. *Crosthwaite*, 17 Ir. C. L. 463.

As the onus of proof of legal incapacity lies on the person raising the objection, the Revising Barrister, if he considers it a case of doubt, will decide in favour of the franchise.

Legal incapacity is divided by the Act of the 13 & 14 of Vict. c. 69, s. 104, into "*legal incapacity under any Statute*," and "*other legal incapacity*."

"Other legal incapacity."

Aliens retaining the status of aliens are disqualified; if naturalized, which must be by Act of Parliament, or made denizens by letters patent from the Crown, aliens are entitled to be registered. So, too, aliens who have obtained certificates under the 7 & 8 Vict. c. 66.

Peers.

Peers are disqualified, except Irish Peers actually elected, and who have not declined to serve for any city, county, or borough of Great Britain.—Resolution of the House of the 27th April, 1802.

A resolution of the House of Commons has no effect to exclude from the enjoyment of the fran-

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chise of voting any person or class in whom the right is already vested: *Bulmer* v. *Norris*, K. & G. 321.

Idiots. Idiotcy amounts to legal incapacity.

Lunatics. Lunatics are not entitled to be registered, except during lucid intervals, which in law means when the mind is sane—as to constitute a lucid interval, absence of the disease itself, and not of the delusions merely, must be shown. If the mind have a lucid interval in this sense, the Chairman would not be at liberty to reject the voter upon any speculation as to the probability of the disease itself recurring.

Felon. A convicted felon is disqualified, unless he has received a free pardon or a conditional pardon (in which case he must show performance of the condition), or endured the punishment to which he has been adjudged.

Outlawry. *Outlawry for Treason or Felony disqualifies.*—Any person who has asked or received any bribe for his vote has incurred a penalty of £500, and after judgment is obtained against him is disqualified: 35 Geo. III. c. 29, s. 23.

Legal incapacity by Statute.

Bribery. By the 17 & 18 Vict. c. 102, any person guilty of bribery or undue influence under that Act is guilty of a misdemeanor; and any candidate guilty of treating is liable to certain penalties. Upon conviction thereof, criminally or upon judgment, in any penal action under this Act, all are liable to perpetual disqualification. Upon sufficient proof thereof, their names are to be expunged by the Revising Barrister from the list of voters, and in-

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serted in a separate list, entitled "the list of persons disqualified for bribery, treating, or 'undue' influence."

By sec. 4, any voter corruptly accepting any entertainment shall be incapable of voting at the then election, and his vote, if given, shall be void.

Persons convicted of bribery at a municipal election are disqualified for ever and for all places, by 5 & 6 Wm. IV. c. 78, s. 54.

Paid agents.

By sec. 8 of the Representation Act, it is enacted "That no elector who has within six months before the election been employed, by or on behalf of any candidate for the purposes of election for reward, shall be entitled to vote, or if he votes he shall be guilty of a misdemeanor. Any person convicted, condemned, and punished for perjury committed in obtaining the election franchise: 35 Geo. III., c. 29, ss. 72–74.

Perjury.

Poor law.

Any person who has received relief under the poor law within twelve calendar months before the 20th of July in the current year.

Returning Officer.

A Returning Officer who makes a double return: 35 Geo. III. c. 29, s. 23.

Fraudulent grant.

Conveyances in fraud of the election laws, whereby estates were colourably created to give votes, were void at Common Law; and persons claiming to be registered, or vote by virtue thereof, are disqualified by Statute 7 Geo. IV. c. 55, ss. 24, 26, 27; Wm. IV. c. 68, s. 65.

When a grant was made *bonâ fide* for the express purpose of creating a qualification to a son and son-

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in-law for a nominal consideration, it was held to give a vote: *Newton* v. *Overseers of Crowley*, 2 C. B. 207; *May* v. *May*, 33 Beav. 81.

Persons in the Dublin Police Force are disqualified from voting at the elections for Dublin, Wicklow, Kildare, or Meath: 6 & 7 Wm. IV. c. 29, s. 19.

Persons in the Royal Irish Constabulary are disqualified, for six months after leaving the service, from voting: 6 Wm. IV. c. 13, s. 18.

Police Magistrates in Dublin are disqualified from voting: 48 Geo. III. c. 140, s. 15.

The Collector-General of Taxes, and persons employed by him for the purpose of collecting taxes, are incapable of voting at any election for the city of Dublin: 13 & 14 Vict. c. 91, s. 24.

The pendency of an appeal is no disqualification: 13 & 14 Vict. c. 69, s. 82.

Outlawry in civil actions is no disqualification.

Conviction for a misdemeanor is no disqualification.

Bankruptcy is in itself no disqualification, provided, under the Bankrupt Laws for the time being in force, a sufficient estate remains in the bankrupt. In Ireland the leasehold estates of a bankrupt or insolvent remain vested in him until the assignees have elected to take them.

Insolvency is in itself no disqualification.

Persons employed in the collection of Her Majesty's revenues are not now disqualified: 31 & 32 Vict. c. 73.

The Returning Officer may vote, if on the Regis-

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ter; and in Ireland is bound to give a casting vote, whether he voted before or not: 35 G. III. c. 29, s. 13.

A Deputy Returning Officer is not, it would appear, disqualified, not being "employed by or on behalf of any candidate."

Candidates may vote, if qualified in other respects. In 1859 the election in the county of Derby was won by the candidate voting for himself.

When legal incapacity exists, independently of Statute, the Register is conclusive as to the right to vote, as well on petition as at the time of the election, unless such incapacity has arisen subsequently to the expiration of the time allowed for making out the list of voters, in which case it may be inquired into on petition. When the incapacity is created by Statute, the Register is not conclusive on petition: 13 & 14 Vict. c. 69, s. 104.

As we have stated before, the Returning Officer can make no inquiry when the voter tenders his vote, except as to his identity; and, secondly, as to whether he has already voted. If the voter presents himself in such a state of intoxication as not to be able to repeat the oath, it is quite clear the Returning Officer would not be at liberty to record his vote.

If a Returning Officer, without malice or any improper motive, but exercising his judgment honestly, refuse to receive the vote of a person entitled to vote at an election, no action will lie against

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him at the suit of such person: *Tozer* v. *Child*, 7 El. & Bl. 377.

Where the plaintiff tendered his vote at the time of the election, and the Returning Officer's Deputy rejected the vote, and made an entry in the column of the poll-book, headed "Observations," as follows: "Vote objected to as paid agent of Mr. W.; tendered his vote." Paid agents were by law then, as now, disqualified from voting. It was held that this substantially amounted to the recording of the vote by the Deputy, and that it was the duty of the Returning Officer to reckon the vote. "It is conceded that, under the 13 & 14 Vict. c. 69, the Deputy appointed by the Returning Officer has no authority to inquire into any objection which may be made to a vote which is tendered to him:" per Monahan, C. J.: *Magowan* v. *Sedley*, 8 Ir. C. L. 342.

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CHAPTER IV.

THE REVISION COURT.

For the purpose of forming a Register of Voters in Counties for every year after 1851, the 13 & 14 Vict. c. 69, s. 6, directs the Clerk of the Peace for the county, on or before the 1st of June in every year, to issue to the Clerk of every Poor Law Union situate wholly or in part within his county a precept in the Form No. 3 in Schedule A. Sect. 16. Clerk of the Peace's precept the 1st of June.

The precept informs the Clerks of Unions what their duties are in the formation of the Register, and how to discharge them.

In counties the Clerk of the Peace is not bound to give notice about the necessity of paying poor rates.

When the Register has been returned to the Clerk of the Peace by the Clerks of the various Unions he is required, after due inquiry, to deal with that portion of the Register which does not relate to the rated occupation franchise, and enter his objections in the margin by writing or printing the words "dead" or "objected" before the names of any persons on the Register. Sect. 21.

Before the 22nd of July in every year he is required to sign and publish in each barony and keep for inspection gratis for fourteen days, from ten to four Sect. 21. Register and supplemental lists to be published 22nd of July.

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o'clock on every day, except Sundays, in some house or police barrack within the barony, a copy of that portion of the Register and Supplemental List which refers to the barony.

Sect. 22. Notice requiring voters to claim to be given, 22nd July.

On or before the 22nd of July the Clerk of the Peace is directed to publish in each barony, having first signed the same, a notice in the Form No. 8. in Schedule A.

Last day for claims, 4th of August. Sect. 23. List of claimants to be published 11th of August.

On or before the 11th of August the Clerk of the Peace is directed to make a list of claimants with his objections, if any, entered on the margin, and sign and publish the same in each barony, and keep them for inspection for fourteen days, as before directed in reference to the copy Register and Supplemental List.

The copy Register, the Supplemental List, and the List of Claimants for each barony, with the marginal additions, are to be deemed the list of voters of each barony for the county.

Sect. 24.

On or before the 20th of August any person on the *Register of Voters* then in force is entitled to object to any person named on the *List of Voters* as not having been entitled to have his name thereon on the 20th of July in the current year.

On or before the 24th of August the Clerk of the Peace is required to publish in each barony a list of objections, &c., as in the case of the list of claimants.

As soon as possible after the 25th of August in each year the Clerk of the Peace is to transmit to the Chairman or Revising Barrister an Abstract of the list of claimants and the list of persons ob-

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jected to by the Clerk of the Peace, or the Clerks of the Unions, or by other persons.

Borough registration. Sect. 29. Precept to Town Clerk, 1st of June.

The Clerk of the Peace for boroughs is directed to issue a precept to the Town Clerk in Form No. 4, Schedule B., on or before the 1st of June.

Sect. 30. Notice to pay poor rates, 5th June.

On or before the 5th of June the Town Clerk is required to publish a notice requiring payment of poor rates according to Form No. 5 in Schedule B.

Sect. 31.

The Town Clerk is to have full liberty to inspect rate-books, &c., and Poor-rate Collectors are bound, if required, to furnish him with lists of persons who have made default in the payment of rates, which list the Town Clerk is to keep open for public inspection.

Sect. 32.

On or before the 8th of July, Clerks of Unions are required to transmit to the Town Clerk lists of rated occupiers, according to Form No. 6, Schedule B.

Sect. 33. Town Clerk's lists to be published, 20th July.

On or before the 20th of July, the Town Clerk is to make a list of persons entitled to vote, with his objections, if any, on the margin, and sign and publish the same.

Sect. 34. Claims to be served, 4th August.

On or before the 4th of August, persons omitted from the Town Clerk's list may claim to have been entitled to have their name placed on said list on the 20th of July, according to the Form No. 10, Schedule B.

Sect. 34. List of claims to be published, 11th August.

On or before the 11th of August, the Town Clerk is required to make lists of claims and publish the same with his objections, if any.

On or before the 20th of August, persons whose

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Sect. 36. Objections to be served, 20th August

names have been inserted in any list of voters, may object to any other person on the Town Clerk's list of voters, or on the lists of claimants.

Sect. 37, and 24 & 25 Vict. c. 60. Objections to be published, 24th August.

On or before the 24th of August, the Town Clerk is to publish lists of the persons objected to.

Sect. 38.

On or before the 25th of August, the Town Clerk is to deliver to the Clerk of the Peace for the borough a copy of the Register then in force, a copy of the list of voters made out and signed by him, a list of the claimants signed by him, and a list of the objections signed by him.

Sect. 44.

As soon as possible after the 25th of August, the Clerk of the Peace of the city is to transmit to the Chairman or Revising Barrister an abstract of the lists of claims and objections.

Sect. 46. Revision Courts, between the 8th of Sept. and 25th Oct.

The Chairman then fixes the times and places for holding courts of revision in counties, at each polling place, and such other places as the Lord Lieutenant should appoint, in boroughs within the borough, between the 8th of September and the 25th of October in every year.

Sect. 57.

The court of revision is a court of record, and the Chairman or Revising Barrister are empowered to fine and imprison.

In counties, the Clerk of the Peace or his deputy is directed to attend and deliver to the Revising Barrister the lists of claimants and of persons objected to, the original notices of claims and notices of objection, and the returns of Clerks of Unions for the current year, and a printed copy of the Register of the voters then in force.

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The Clerks of Unions are also required to attend with the rate-books for the current year. Sect. 48.

The Collectors of Rates are also bound to attend, if required. Sect. 50.

The duties of the Revising Barrister are defined by section 55. Sect. 55. Duties of Revising Barrister.

1. He is to expunge the name of any person whose qualification as stated is insufficient in law, and of every person proved to be dead.

The qualification of a county voter was stated in the list to be "freehold share in Fullam Bridge." His vote was not objected to, but the Revising Barrister expunged his name on the ground that the Court of Common Pleas, in *Tepper* v. *Nichols*, had decided that the shareholders in Fullam Bridge had no qualification. It was held that the qualification, being good on the face of it, the Revising Barrister had no power to expunge the name, unless it was properly objected to: *Smith* v. *James*, 1 L. R. C. P. 138; and *Collins' Case*, 3 Ir. C. L. 189.

2. He is to correct any mistake in any list, and see that the name of same person does not appear twice.

No misnomer or inaccurate description of any person, place, or thing named or described in any schedule; or in any rate, list, or copy of Register of Voters, *or in any notice*, shall in anywise abridge the operation of the Act, provided the person, place, or thing shall be *so denominated as to be commonly understood.* Sect. 115.

3. If the Christian name, or place of abode, or nature of the qualification, or local or other descrip-

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tion, or name of the occupying tenant is wholly omitted, or described insufficiently for identification, he is to permit the defect to be supplied before the revision is complete, or expunge the name if it is not supplied.

The name of J. P. was on the Town Clerk's list of voters, and R. P. appeared at the Revision Court, and claimed to have the Christian name on the list changed for his own. The claimant was registered. It was held on appeal that the evidence was not sufficient to show that R. P. was the party intended under the designation of J. P. *Semble* per Perrin, J., that the power of amendment given by the 56th section does not extend to the substitution of one name for another: *Phayre* v. *M'Donald*, 1 Ir. C. L. 460.

Where a party had been erroneously designated in the rate-book as "John M.," and it was proved to the satisfaction of the Revising Barrister that no such person as "John M." in fact existed, but that the premises were and had for a long period been occupied by "James H.," and had been rated in that name until the making of the rate immediately preceding, it was held that the Revising Barrister was justified in retaining the name of "James H." on the list, the error in the rate-book being a technical one within the 13 & 14 Vict. c. 69, s. 115: *Moroney's Case*, 7 Ir. Jur. O. S. 60.

4. He may amend, but not change the description of the nature of qualification in list or claim. He

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cannot receive evidence of any other qualification than that stated.

The abode of the claimant on the list of voters is no part of the qualification ; the Revising Barrister may therefore alter it without requiring the claimant to prove that he retains the same qualification as stated in the Register for the current year: *Tuthill's Case*, 7 Ir. C. L. 388.

The Revising Barrister may amend by adding number of house: *Barlow* v. *Munford*, H. & P. 335; or by changing "fee-farm rent" into 51th part of fee-farm rent: *Cooper* v. *Ashfield*, K. & G. 200.

It is the duty for the Clerk of the Peace in counties and Town Clerk in boroughs to make a verbatim copy of the claim; if this has not been done, the Revising Barrister may look at the original claim, and amend list accordingly: *Corcoran* v. *Ford*, 10 Ir. C. L. 544.

5. He may place on the list of voters the name of the claimants omitted from the Clerk of the Peace's list of claimants, on proof of the service of notice on the Clerk of the Peace and of qualification.

If the Clerk of the Peace returns the name of a claimant on his list, it is quite immaterial whether the claim has been signed by the claimant, or notice thereof duly served. The Revising Barrister has only to see whether the qualification is sufficient, and if so, whether it is proved: *Barnett's Case*, 7 Ir. C. L. 372; *Davies* v. *Hopkins*, 3 C. B. 376; *O'Brien* v. *Fenton*, 15 Ir. C. L. 380.—(The marginal

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note in this case incorrectly states that a claim need not be signed personally by a county claimant.)

If the Clerk of the Peace does not place the claimant's name on the list of claimants, the claimant must, in the first instance, prove that the claim is good in form, and has been duly served.

The claim must follow the Forms given in the Schedule to the Act, "or be to the like effect." In the first column the claimant should give his Christian name or names and his surname at full length. Where the entry in the first column was "Nathl. Beggs," it was held sufficient. "The claimant was sufficiently described so as to identify him": per Fitzgerald, B., 15 Ir. C. L. 370.

In the second column the claimant's place of abode, i. e. where he resides with his family, and not his offices or chambers, should be set forth. If the claimant has no place of abode, it is sufficient to describe him as "travelling abroad": *Walker* v. *Payne*, 2 C. B. 12. If he has two places of abode, it is sufficient to state either.

The third column is headed "Nature and Amount of Qualification." In *Daniel* v. *Camplin*, 7 M. & G. 167, Creswell, J., observed:—"It seems to me that the nature of the qualification means the nature of the thing occupied, whether it be a house, counting-house, workhouse, or school; and consequently the property only need be described, and not the nature of the party's interest in the premises. In describing the qualification of county votes, a statement of the nature of the title is essential. But when

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the claim is in respect of occupation, a description of the thing occupied is sufficient."

It has been held that "£50 freehold" in this column is sufficient: *Fitzgerald's Case*, 6 Ir. C. L. 425. So "£50 occupier" was held to be a sufficient description in law in the third column, in England, and amended into "farm as occupier": *Howitt* v. *Stephens*, K. & G. 173.

So the word "tenant" was held sufficient, and amended into "farm as occupying tenant," Williams, J., observing that a description perfect in all legal essentials was not necessary, but that it was sufficient if a man of common sense would understand what was meant: *Birks* v. *Ellison*, K. & G. 507.

In case of several premises occupied in succession, the notice of claim should describe them particularly in fourth column as houses by their numbers, if they have any, and state all. In *Hitchins* v. *Brown*, 2 C. B. 65, "house" was in the third column, and "houses, &c., in immediate succession," was in the fourth. It was held that "house" in the third column was a sufficient description of the nature of the qualification. It is not necessary to state the rating of premises formerly occupied: *Hughes' Case*, 3 C. & D. 131.

In the case of joint occupation, it is not necessary in notice of claim to state that the premises are occupied jointly. The other joint occupiers need not be mentioned: *Morris's Case*, 3 C. & D. 250; *Daniel* v. *Camplin*, 7 M. & G. 167.

Where A. claimed in respect of the occupation

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of premises jointly as a partner, "rated as being of the net value of £10 or upwards," it was held bad, for not stating an amount of rating qualifying all the joint occupiers: *Connell's Case*, 3 C. & D. 134.

The word "*or*" in the heading of the fourth column is *disjunctive;* identification by any of the descriptions there indicated is insufficient in law.

Where the respondent was described on the list of voters as having in the third column a "£50 freehold;" in the fourth column "several denominations of land," and he had parted with some of the denominations, the Chairman decided that enough remained vested in him to qualify him as a £50 freeholder. It was held upon appeal that the sufficiency of the qualification was a question of fact on which the Chairman's decision was final: *Carroll* v. *Fisher*, 15 Ir. C. L. 368.

It was provided by the 13 & 14 Vict. that in counties the claim should be signed by the claimant. This provision is now extended to boroughs by section 14 of the Registration Act of 1868. In the case of claims under the lodger franchise the signature of the claimant is to be witnessed, according to the Form 1, Schedule D.

In *Boon's Case*, 3 Ir. C. L. 189, it was decided that unless an objection was served or made, the Revising Barrister had no power to require the claimant to give evidence of his qualification. By section 37 of the Registration Act of 1868, it is provided that no claimant shall be registered unless evidence be given to prove such claim. The claimant

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must now, whether objected to or not, be prepared to prove his qualification.

The respondent's name appeared on the previous Register, and on the List No. 7. He was summoned by the objector, who proposed to examine him to prove that he was not entitled to be on the Register then under revision. The respondent declined to be examined until some evidence was given to displace his right, and was not examined. The Revising Barrister, having allowed his vote, held that the respondent was bound to give his testimony, and the Revising Barrister's decision was reversed: *Peterson* v. *Balfour*, 10 Ir. C. L. 553.

A. being objected to, produced the list of the Clerk of the Union to prove he was a rated occupier, and the Register of the year to prove he was tenant. It was held that these documents, taken together, established a *primâ facie* case, and not being displaced, A. was entitled to be registered: *Byrne's Case*, 6 Ir. C. L. 413.

Any rated occupier whose name has been omitted from any rate may present to the Guardians a claim to be rated, *in writing*, *signed with his name*, and upon such occupier actually paying or tendering the full amount of the rates then due, &c., the Guardians are to insert his name; or in case they neglect or refuse, such occupier shall be deemed to be rated, &c. Sec. 110.

The claim need not be signed by the claimant with his own hand: *M'Niffe's Case*, 3 Ir. C. L. 186.

A claim to be rated in respect of premises occupied

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in immediate succession need not include both sets of premises: *Agnew* v. *O'Reilly*, 2 Ir. C. L. 560; and see *Rogers* v. *Lewis*, K. & G. 279.

A claim to be rated sent in after notice of objection served was held valid, as it qualified by relation, as if the name had been inserted in the last-made rate: *Muldowney* v. *Malcolmson*, 15 Ir. C. L. 375.

A mere offer to pay, "if any rates were due," is not a sufficient tender: *Bishop* v. *Smedley*, 2 C. B. 90.

Sec. 51. Voters whose place of abode, as stated in the list of voters, is within the county, but not within the polling district of the barony, may claim to vote at the polling place of the district where they reside; and in case the place of abode is stated, &c., to be without the county, may claim to vote at any polling place within the county; *such claim is to be in writing under the voter's hand*, and delivered to and verified before the Revising Barrister.

Objections. In counties, persons on the *Register of voters for the time being* are the only persons entitled to object, except Clerks of the Peace and Clerks of Unions. In boroughs, persons *on the list of voters* are entitled to object.

The last day for serving notices of objection is the 20th of August; the notice of objection must be according to the Forms in the Schedules to the Acts.

The notice of objection must be signed by the objector personally: *Toms* v. *Cuming*, 1 Lutw. 200. The notice must be dated. In Ireland, in a case where the date was printed as the 10th day of August,

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1864, and the objector admitted that it was signed, not on the 10th, but after the 10th of August, 1864; it was held that the notice was bad, inasmuch as the date and the signature should be cotemporaneous: *Parkinson* v. *Brophy*, 15 Ir. C. L. 346. This point was decided differently in a subsequent case in England, and the Court there held that it was sufficient if the notice was dated some day within the limits allowed for giving notice, and while the objector was duly qualified to give it: *Jones* v. *Jones*, 1 L. R. C. P. 140.

Where the signature was in part wholly illegible the notice was held good: *Trotter* v. *Walker*, K. & G. 534.

Where the signature of the objector was engraved upon a stamp, and the stamp was impressed by the objector himself upon the notice of objection, the notice was held good: *Bennett* v. *Brumfitt*, H. & P. 407.

In counties the notice of objection must be served on the Clerk of the Peace and the person objected to: and whenever the person objected to as described in the list of voters or claims does not dwell within the barony, and the name of the occupying tenant of the whole or any part of the qualifying property and his place of abode appears on such list, a duplicate notice of objection must be served on said occupying tenant.

In boroughs the notice must be served on the Town Clerk and on the person objected to. In all notices of objection the place of abode of the objector must be stated.

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A notice of objection which described the voter as of Williams'-place, being now on the Register of voters for the county of D., was held sufficient: *Fitzpatrick's Case*, 6 Ir. C. L. 426.

It is a question of fact for the Revising Barrister whether the description of the abode of the objector in a notice of objection is sufficient. Where the description is such that a letter so addressed would reach the objector by post, and the person objected to could easily find him upon going to the place stated, it is sufficient: *Thackway* v. *Pilcher*, 2 L. R. C. P. 100.

The notice of objection to be served on the person objected to, or the occupying tenant, or the Town Clerk must state that the objector *is registered* in counties, or *on the list of voters* in boroughs. Where the Forms in the Schedule are followed literally, the notice of objection is sufficient.

A notice of objection to the name of the claimant following *verbatim*, the Form given in Schedule B., describing the objector to be "On the list of voters for the borough of Sligo," was held sufficient, though the Register of voters for the borough of Sligo was made up of three separate lists of names : *Olphert's Case*, 6 Ir. C. L. 422.

It is, however, desirable that the objector should specify the list upon which his name appears.

Claimant's name appeared on the list of voters as a freeholder. His qualification was stated thereon to arise out of land at T., in the occupation of a tenant. Notice of objection was served on claimant,

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but no duplicate notice was sent to the tenant, which, as the claimant resided out of the barony, he contended was necessary. The objector submitted he was not bound to give such notice, as the tenant's place of abode did not appear on the list. The Barrister held that the tenant's place of abode did sufficiently appear on the list, and that notice to him was necessary : *Crosby's Case*, 4 Ir. Jur. N. S. 107.

A notice was given as follows:—" To Mr. Sidney Rice-Force. I hereby give you notice, that I object to the name of Force, Sidney Rice being retained," &c. This was objected to on the ground that it did not comply with the statutory form, as the names were used instead of the pronoun "your," and the Christian and surnames were transposed. Held that the notice was essentially in the form required by the Statute, and that, if the transposition of the names was a mis-description, it was cured by section 101, which enacts, that no misnomer or inaccurate description of the person shall vitiate the notice: *Force* v. *Flood*, H. & P. 475.

If an objector has two places of abode, it is sufficient to state either: *Courtis* v. *Blight*, K. & G. 475.

In the notice to the Clerk of the Peace or Town Clerk, it is competent to a person to insert all the names on the list of voters in the county or city objected to by him, a separate notice for each not being necessary: *Smith* v. *Holloway*, 1 H. & R. 315.

Giving notice of an objection to a claim to vote is the exercise of a public duty, and, therefore the ob-

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jector has no power to withdraw an objection once made. If the notices of objection are proved, the Revising Barrister is bound to call upon the voter to prove his qualification: *Proudfoot* v. *Barnes*, 2 L. R. C. P. 88.

Service of notice.

Service of the notices of claim and objection may be effected as follows:—The Clerk of the Peace or Union may be served by giving him the notice personally, by leaving it at his abode or office or other place for transacting business, or by sending it through the post.

The person objected to, and occupying tenant, may be served by giving them the notice of objection personally, by leaving it at their abodes, or by sending it through the post.

The Town Clerk may be served by giving him the notice of claim or objection personally, or sending it through the post.

Sect. 113.

The 113th sec. provides, That any person wishing to serve a notice of objection may deliver the same, directed to the person to whom it is to be sent, at his place of abode, as described in the list of voters, open and in duplicate, to the Postmaster of any *post office where money orders are received and paid.*

The Postmaster is then required to compare the notice and duplicate, and, on being satisfied that they are alike in their address and contents, to forward one of them to its address by the post, and to stamp the other with the stamp of the said post office, and return it to the party bringing it. The postage must be prepaid on the notice forwarded, and the

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Postmaster is entitled to charge twopence for registration.

The stamped duplicate is made evidence of the notice having been delivered to the person to whom it is addressed on the day it would reach him in the ordinary course of post.

The stamped duplicate is conclusive evidence of sufficient service, though the notice may not, in fact, have been forwarded: *Hornsby* v. *Robson*, K. & G. 66.

"The two notices to be presented at the post office should be each an original, signed with the hand of the objector, duly directed with a direction written on the outside, and identical in all essentials:" per Fitzgerald, J., *Wynne's Case.*

Where the duplicate was addressed on the inside at the face and top of the notice only, it was held insufficient. "If the notice is to be sent by post, it cannot be said to be duly directed for that purpose unless it bears an external address:" *Birch* v. *Edwards,* 56 B. 45.

Where the stamped duplicate had a proper external address, and the notice sent had none, but was enclosed in an envelope which bore the same external address as the stamped duplicate, it was held that the notice sent was not a duplicate, as it had not an external address: *Wynne's Case,* 15 Ir. C. L. 359.

Where the stamped duplicate had the word "copy" written thereon, and the notice sent had not, it was held the difference was immaterial, and

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that they were identical in essentials: *Benesh* v. *Booth*, H. & P. 223.

Notices of objection to a voter for the county of Middlesex were sent to the overseers by post, enclosed in one envelope, addressed "To the Overseers of the Parish of Acton," in the county of Middlesex, pursuant to section 103 of the 6 & 7 Vict. s. 38, and were duly received and published by them: held that this was a sufficient service, as service through the post was the same as service by an agent, and that the objector was not bound to show that he had complied with all the requirements as to posting of section 100: *Smith* v. *James*, 11 C. B. N. S. 62.

Sect. 62. By the 62nd section the Revising Barrister is empowered to award costs not exceeding twenty shillings against claimants or objectors, in the case of groundless, frivolous, or vexatious claims or objections, which orders are to be suspended in case of appeal, and to abide the event. The order must be in writing, signed and dated, specifying the sum, and by whom and to whom, and when and where the same is to be paid; and until such payment is made no other claim or objection by the same party is to be heard.

Sect. 56. The Revising Barrister is in open court to write his initials against the names and dates of registry expunged or inserted, and against any part of the list in which any mistake has been corrected, or any omission supplied, or any insertion made by him, and to sign his name to every page of the lists.

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The Revising Barrister is then to transmit the lists of voters, *signed as aforesaid*, to the Clerks of the Peace in the county and borough, who are forthwith to print the said lists, with the names in each barony in alphabetical order, &c., so that the lists for each barony may be conveniently detached from all other lists in the same book. The Clerk of the Peace for the county is then to sign and deliver his book to the Sheriff of the county, and the Clerk of the Peace for the borough to sign and deliver his book to the Revising Officer for the borough, on or before the first day of November in the year 1868, and on or before the last day of December in 1869, and every succeeding year; and each of the said books is to be the Register during the year, commencing on the 1st day of January next after such Register is made. Until the book has been signed and delivered by the Clerk of the Peace to the Sheriff, the lists therein do not constitute the final and true Register: *Brumfit* v. *Bremner*, 9 C. B. N. S. 1.

Sect. 63.

31 & 32 Vict. c. 112, ss. 24, 32.

The Register is to be *conclusive evidence* that the persons therein named continue to have the qualifications which are annexed to their names in force at the election, and *primâ facie* evidence of their right to have their names inserted in the Register for the ensuing year. It is a document of such a public nature as to be admissible in evidence on its mere production by the Returning Officer, and therefore an examined or certified copy of it is also admissible: *Reed* v. *Lamb*, 6 H. & N. 75.

Sect. 85.

Sect. 53.

Rate-books, or a compared copy thereof, or any

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Sect. 108. part thereof, are made *conclusive evidence* of the entries therein as to the value of lands, and *primâ facie* evidence of the several other remedies therein stated.

Sect. 86. Persons rejected by the Revising Barrister may tender their votes, which the Deputy is to receive and enter, but not allow.

The Revising Barrister has power to administer oaths, &c., and to adjourn from polling-place to polling-place, and from day to day, until the 25th of October.

The Clerk of the Peace has now power to adjourn in certain cases: 31 & 32 Vict. c. 112, s. 39.

No party or other person shall appear or be attended or heard by counsel.

Penal Sections, Sect. 66. Officers having custody of rate or rate-book who *wilfully refuse or neglect to attend, when duly required by summons under the hand of the Revising Barrister*, may be fined in a sum not exceeding £5.

Clerks of Unions, Clerks of the Peace, and Town Clerks, who wilfully omit or insert the names of any persons on their lists, or make default in their duty in other respects, may be fined £5, which fine is not to affect or abridge any right of action against them.

Sect. 84. Section 84 provides how fines are to be recovered.

Sect. 103. Every Sheriff, under Sheriff, Clerk of the Peace, Town Clerk, Clerk of the Union, High Constable, Returning Officer, Clerk of the Crown and Hanaper, Postmaster, or other person or public officer required by the Act to do any matter or thing shall, for every wilful misfeasance or wilful act of omission or com-

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mission contrary to the Act, forfeit to any party aggrieved the penal sum of one hundred pounds, or such less sum as the jury, &c., with full costs.

Collectors making default in returning to Clerks of Unions the names and descriptions of persons who have paid their rates, and the sums paid; or who neglect or refuse to assist the Clerks of Unions, or who give false information which may lead to the insertion or omission of the name of any person, &c., are made liable to a penalty not exceeding £10, to be recovered summarily before any Justice of the Peace, and levied by distress.

Any person wilfully destroying, &c., any copy, Register, list, notice, &c., affixed for publication during the period for which the same are required to be affixed, is to forfeit a sum not exceeding forty shillings, nor less than ten shillings, to any person who will sue, &c., before two justices. Sect. 41.

Claimants to have their names *inserted* in any list; objectors to the names of others being *inserted* in any list; and any person whose name has been expunged may appeal. There is no provision for a person objecting to a name being *retained* appealing. *Appeals.*

The appellant must, on the same day the decision has been pronounced, either by himself or some one on his behalf, give the Revising Barrister *notice in writing* that he is desirous to appeal, and in such notice shall state the decision against which he desires to appeal. Sect. 58.

The "*decision*" must be on a *point of law* material to the result. No appeal is to be allowed on any Sect. 78.

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question of fact only, or upon the admissibility or effect of evidence adduced to establish facts only.

In *Carroll* v. *Fisher*, 15 Ir. C. L. 369, the Revising Barrister admitted probate as evidence to prove a freehold devise, and the appellant contended that probate was not "*sufficient evidence.*" The Revising Barrister ruled the probate was "sufficient evidence." If he was wrong in point of law, the name was to be expunged. Fitzgerald, B., in his judgment, said:—"The Chairman is the sole judge of the admissibility of the evidence. *The question as to whether there was any evidence or not has not been reserved.*"

The case appears, however, to turn rather on the effect than the admissibility of the evidence, as the question reserved was its sufficiency.

The Revising Barrister is not bound to grant the appeal, unless "he thinks it reasonable and proper that it should be entertained."

If he grants the appeal, he is to state, in writing, the facts, which, according to his judgment, have been established by the evidence in the case, and read the statement in open Court for the appellant; and the appellant, or some one on his behalf, is then to add a declaration, under his hand, to the following effect (that is to say):—"I appeal from this decision;" or words to that effect.

The Revising Barrister should state the conclusion of facts at which he has arrived (not the evidence which has been given), which are, in his opinion, material to the result, and his opinion as to the ma-

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teriality of the facts to be set forth in his statement is conclusive : *Hinton* v. *Town Clerk of Wenlock*, 7 M. & G. 106 ; *M'Donald's Case*, 2 Ir. C. L. 570. The Court has no jurisdiction to entertain any question but that reserved by the Revising Barrister ; nor any points not raised before him : *In re Neville*, 3 Ir. Jur. N. S. 245 ; *Simpson* v. *Wilkinson*, 7 M. &. G. 50. The Revising Barrister must endorse on the statement the name of the county and barony, or borough, to which the same relates, and the Christian name and surname, and place of abode of the appellant and respondent, and sign and date such endorsement. This last provision is directory, not mandatory, and the Court will entertain an appeal notwithstanding the omission of the place of abode from the endorsement : *M'Keown* v. *Bradford*, 7 Ir. Jur. N. S. 169.

If the appeal purport to be signed after the statutable period for holding the Revision Court, the Court has no jurisdiction to hear it: *Fowler's Case*, 1 Ir. C. L. 462.

The Court cannot entertain an appeal against a decision of a Revising Barrister, unless the requirements of the 6 & 7 Vict. c. 18, s. 42, have been fully complied with, or there is a clear and unequivocal consent to waive the performance of them : *Scott* v. *Durant*, 18 C. B. N. S. 205.

Although the decisions of the Court upon cases stated by Revising Barristers under 6 & 7 Vict. c. 18, are, by section 66, declared to be final and conclusive in the case upon the point of law adjudi-

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cated upon, it is, nevertheless, competent to a Revising Barrister, upon a future occasion, and between other parties, again to raise the question even in relation to the same property qualification : *Roberts* v. *Percival*, 18 C. B. N. S. 36.

The Court of Exchequer Chamber will review its own decisions in registry appeals, but only where strong grounds for doing so be shown : *Comiskey* v. *Browne*, 6 Ir. Jur. N. S. 109.

The Court above has no jurisdiction with respect to the lists of voters in parliamentary elections, except upon appeals from the Revising Barristers' courts; therefore, where a Barrister had by mistake struck off the name of a voter from a borough list on which he had a right to be, intending to strike his name off the county list on which he had not a right to be, the Court could not interfere in any way to restore the name on the borough voters' list : *Allen's Case*, 6 C. B. N.S. 334.

Respondents. Sect. 59.

The party in whose favour the decision appealed against has been given is to be the respondent ; but if there be no such party, or if such party, or some one on his behalf, state in writing that he declines to support the decision appealed against as respondent, the Assistant Barrister may name any person interested in the matter of the appeal, *with his consent*, to be respondent; or the Clerk of the Peace, or Town Clerk, without consent. The respondent is entitled to a copy of the statement and endorsement if he require it.

The Revising Barrister may consolidate two or

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more appeals in case it appears to him that they have turned upon the same point of law.

Appeals cannot be consolidated under the 6th & 7th Vict. c. 18, s. 44, unless they depend upon the same precise point of law, to be decided on the same facts; where, therefore, a consolidated appeal contained a different statement of facts as applicable to the several voters requiring several decisions in point of law, the Court declined to entertain it: *Robson* v. *Browne*, 1 C. B. N.S. 34. Sect. 60.

The Revising Barrister is to deliver the statement signed by him to the appellant, who is to transmit it to the Clerk of the Errors in the Court of Exchequer Chamber, at Dublin; and at the same time a notice *signed by him*, stating his intention to prosecute said appeal. The statement and notice must be sent within the first four days in the Michaelmas Term next after the decision. The appellant must also serve a six-day notice, *signed by him* (*a*), on the respondent, stating his intention to prosecute the appeal, and should have an affidavit of such service at the hearing if the respondent does not appear. The due transmission of the statement and notice is the foundation of the jurisdiction, and an omission in that respect, even though accidental, cannot be cured by consent of the parties: *Auty* v. *Topham*, 5 M. & G. 1; *Prior* v. *Waring*, 5 C. B. 63. The Court may remit the case to the Court below, in Sect. 77. Sect. 78.

(*a*) The signature of an agent will not suffice. *Petherbridge* v. *Ash*, 4 C. B. 74.

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case the statement of the matter of the appeal is insufficient.

Sects. 79, 80, & 81. The decisions of the Court of Appeal are binding on petition, and the Register is to be corrected in pursuance of the same. A copy of the decision, purporting to be signed by the Clerk of the Errors, is made sufficient evidence without proof of his signature.

Costs. Costs are in the discretion of the Court, but in no case can they make an order for or in favour of a respondent, unless he appears.

When the decision of the Revising Barrister is reversed no costs are given.

A respondent will not be allowed costs in a case of appeal where the case is a reasonably fit one for argument: *Clarke* v. *Overseers of Bury St. Edmunds.*

Where the decision of the Revising Barrister in support of the franchise is affirmed, the respondent is allowed his costs as of course: *De Boineville* v. *Arnold,* 1 C. B. N. S. 22.

Where the decision was for the appellant and against the franchise, but not upon the merits, the costs were not allowed: *Barclay* v. *Parrott,* 1 C. B. N. S. 52.

If the appellant does not appear, the decision is usually affirmed, with costs: *White* v. *Pring,* 8 C. B. 13.

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APPENDIX.

13 & 14 VICT. CAP. LXIX.

An Act to amend the Laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating immediate Lessors of Premises to the Poor Rate in certain Boroughs. [14*th August*, 1850.]

WHEREAS an Act was passed in the session of Parliament holden in the second and third years of the reign of His late Majesty King *William* the Fourth, intituled, *An Act to amend the Representation of the People of* Ireland, and it is expedient to amend the laws which regulate the qualification of some of the persons entitled to vote in the election of members to serve in Parliament for *Ireland*, and the registration of all persons so entitled to vote: 2 & 3 W. 4, c. 88.

Occupiers of lands rated for the poor rate at a net annual value of 12*l* or upwards, and being registered under this Act, to be entitled to vote at elections for counties in Ireland.

Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in addition to those now qualified by law to register and vote at any election of a knight of the shire in *Ireland*, in virtue of any qualification not requiring occupation, every male person of full age, and not subject to any legal incapacity, who shall occupy, as tenant or owner, any lands, tenements, or hereditaments within any county in

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Ireland, and shall be rated under the last rate for the time being under an Act of the first and second years of the reign of Her present Majesty, intituled, *An Act for the more effectual Relief of the destitute Poor in* Ireland, or any Act or Acts amending the same, as occupier of such lands, tenements, or hereditaments, at the net annual value of twelve pounds or upwards, shall, if duly registered according to the provisions hereinafter contained, be entitled to vote at any election of a knight or knights of the shire to serve in Parliament for the county within which such lands, tenements, or hereditaments shall be situated; provided that no such person shall be so registered in any year unless he shall have been such occupier for the space of twelve calendar months next before the ninth day of *November* one thousand eight hundred and fifty (as regards the register for one thousand eight hundred and fifty-one), or next before (in any succeeding year) the twentieth day of *July* in such year, and shall on or before the thirtieth day of *September* one thousand eight hundred and fifty (as regards the register for the year one thousand eight hundred and fifty-one), and shall in any succeeding year on or before the first day of *July* in such year, have paid all poor rates in respect of such lands, tenements, or hereditaments which shall have become payable from him in respect of such premises previously to the thirty-first day of *March* one thousand eight hundred and fifty (as regards the register for the year one thousand eight hundred and fifty-one), and previously (in any succeeding year) to the first day of *January* in such year.

Persons entitled to estates in fee or in tail, or for life, of the rated value of 5*l.*, to

II. And be it enacted, That, in addition to those now qualified by law to register and vote at any election of a knight of a shire in *Ireland*, in virtue of any qualification not requiring occupation, every male person of full age,

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and not subject to any legal incapacity, who shall be seised of or entitled for his own use to any estate, legal or equitable, in fee simple or fee tail, or for his own life, (such tenant for life not being a lessee or assignee of a lessee or an under-lessee,) or of or to any estate of freehold for lives renewable for ever, or estate *quasi* in tail of such freehold, in any lands, tenements, or hereditaments which shall be rated in the last rate for the time being under the said Acts for the more effectual relief of the destitute in *Ireland* at the net annual value of five pounds or upwards, and shall be, to the person so seised or entitled, of the net annual value of five pounds at the least above all charges, save taxes, cesses, or rates, payable out of the same, shall, if duly registered according to the provisions hereinafter contained, be entitled to vote at any election of a knight or knights of the shire to serve in Parliament for the county in *Ireland* within which such lands, tenements, or hereditaments shall be situate; provided that no such person shall be so registered in any year unless he shall have been in the actual possession of such premises, or in the receipt of the rents and profits thereof for his own use, for the space of six calendar months next before the ninth day of *November*, one thousand eight hundred and fifty (as regards the register for the year one thousand eight hundred and fifty-one), or next before (in any succeeding year) the twentieth day of *July* in such year; but no actual occupation of such premises shall be necessary in the case of any person so seised or entitled who shall for such space of six calendar months have been in such receipt of such rents and profits for his own use.

have votes for counties.

III. And be it enacted, that from and after the time when the first Register under this act of persons entitled to vote at any election of a knight or knights of the shire

After completion of first general register, no one to vote

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at a county election on a qualification requiring occupation unless qualified under this Act.

to serve in Parliament for any county in *Ireland* shall be in force, no person, except as hereinbefore provided, shall be entitled to vote at any election of a knight or knights of the shire to serve in Parliament for such county in respect of any qualification which requires the elector to be or to have been in the actual occupation of lands, tenements, or hereditaments within each county.

No persons to have votes for counties in respect of land situate within the boundaries of cities and boroughs.

IV. Provided always, and be it enacted, that no person shall be entitled to vote at any election of a knight or knights of the shire for any county in *Ireland*, in respect of any lands, tenements, or hereditaments situate within the Parliamentary boundary of any city, town, or borough in *Ireland* returning a member or members to serve in Parliament, and in respect of which he would be entitled to vote at an election for such city, town, or borough, whether he shall or shall not have actually acquired the right to vote for such city, town, or borough in respect thereof.

Occupiers of lands or premises rated for the poor rate at a net annual value of 8*l.* or upwards, and being registered under this Act, to be entitled to vote at elections for cities or towns in Ireland.

V. (*a*), And be it enacted That, in addition to those now qualified by law to register and vote at any election of a member or members to serve in Parliament for any city, town, or borough in *Ireland* in virtue of any qualification not requiring occupation, every male person of full age, and not subject to any legal incapacity, who shall occupy, as tenant or owner, within any city, town, or borough in *Ireland* returning a member or members to serve in Parliament, any lands, tenements, or hereditaments, and shall be rated under the last rate for the time being under an Act of the first and second years of the reign of Her present Majesty, intituled, *An Act for the more effectual relief of the destitute Poor in* Ireland, or any Act or Acts amending the same, as occupier of such

(*a*) See now the 31 & 32 Vict. c. 49, s. 3, *infra*.

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respective lands, tenements, or hereditaments at a net annual value of eight pounds or upwards, shall, if duly registered according to the provisions hereinafter contained, be entitled to vote at any election of a member or members to serve in Parliament for the city, town, or borough within which such respective premises shall be situated; provided that no such person shall be so registered in any year unless he shall have been such occupier for the space of twelve calendar months next before the ninth day of *November* one thousand eight hundred and fifty (as regards the register for the year one thousand eight hundred and fifty-one), or next before (in any succeeding year) the twentieth day of *July* in such year, and shall on or before the thirtieth day of *September* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and shall (in any succeeding year) on or before the first day of *July* in such year have paid all poor rates in respect of such respective premises which shall have become payable from him in respect of such premises previously to the thirty-first day of *March* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and previously (in any succeeding year) to the first day of *January* in such year.

Provisions as as to joint occupiers in cities or towns.

VI. And be it enacted, That when any lands, tenements, or hereditaments as aforesaid within any such city, town, or borough shall be jointly occupied by more persons than one as tenants or owners thereof, and such persons shall be rated in such rate as last aforesaid jointly in respect of such premises, each of such persons shall, subject to the conditions hereinbefore provided as to a person occupying lands, tenements, or hereditaments in any such city, town, or borough, be entitled to vote at

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any election of a member or members to serve in Parliament for the city, town, or borough within which such premises are situate, in case the net annual value of such premises, as appearing on such rate when divided by the number of persons rated jointly in respect thereof, shall give a net annual value of eight pounds or upwards for each of such persons, but not otherwise.

Provisions as to premises occupied in succession.

VII. And be it enacted, That the premises in respect of the occupation of which any person shall be entitled to be registered in any year, and to vote in the election for any city, town, or borough as aforesaid, shall not be required to be the same premises, but may be different premises occupied in immediate succession by such person during the twelve calendar months next previous to the ninth day of *November* one thousand eight hundred and fifty (as regards the register for the year one thousand eight hundred and fifty-one, or next previous (in any succeeding year) to the twentieth day of *July* in such year, such person having paid, on or before the thirtieth day of *September* one thousand eight hundred and fifty (as regards the Register for they ear one thousand eight hundred and fifty-one), or (in any succeeding year) on or before the first day of *July* in such year, all the poor's rates which shall, previously to the thirty-first day of *March* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and previously (in any succeeding year) to the first day of *January* in such year, have become payable from him in respect of all such premises so occupied by him in London.

After completion of the first general Register no one to vote at an election for a

VIII. And be it enacted, That from and after the time when the first Register under this Act of persons entitled to vote at any election of a member or members to serve in Parliament for any city, town, or borough in

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Ireland shall be in force, no person, except as hereinbefore provided, shall be entitled to vote at any election of a member or members to serve in Parliament for such city, town, or borough, in respect of any qualification which requires the elector to be or to have been in the actual occupation of any lands, tenements, or hereditaments, or any premises, situate within such city, town, or borough, save and except any forty shilling freeholder or five pound inhabitant householder who may be qualified under the said first recited Act, if duly registered under the provisions of this Act.

city, town, or borough on a qualification requiring occupation, unless qualified under this Act.

IX. And whereas it is enacted by the said Act to amend the Representation of the People of *Ireland*, "That no person shall be allowed to have any vote at any election of a member or members to serve in Parliament for or by reason of any trust estate or mortgage, unless such trustee or mortgagee be in actual receipt of the rents and profits of the same estate, but that the cestuique trust or mortgagor in possession shall and may register and vote for the same estate, notwithstanding such trust or mortgage:" And whereas doubts have arisen as to the true intent and meaning of such last-mentioned enactment: Be it therefore declared and enacted, That no mortgagee of any lands, tenements, or hereditaments shall vote in any election of a member or members to serve in Parliament for or by reason of any mortgage estate therein, unless he be in the actual possession and receipt of the rents and profits thereof, but that the mortgagor in actual possession or in receipt of the rents and profits thereof shall and may vote for the same, notwithstanding such mortgage; and that no trustee of any lands, tenements, or hereditaments shall in any case have a right to vote in any such election for or by reason of any trust estate therein, but that the cestuique trust in actual possession or in the receipt of the rents

Provisions as to trust and mortgage estates in counties and boroughs.

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and profits thereof, though he may receive the same through the hands of the trustee, shall and may vote for the same, notwithstanding such trust.

Provisions of recited Act in respect of registration, &c. to be repealed from the 8th Sept. 1850, save as here excepted.

X. And be it enacted, That from and after the eighth day of *September* in the year of our Lord one thousand eight hundred and fifty so much of the said recited Act to amend the Representation of the People of *Ireland* as relates to the registration of voters for the several counties, cities, towns, and boroughs in *Ireland* having the right to send a member or members to serve in Parliament, and the expenses of such registration, and the payment of grand jury and municipal cesses, rates, and taxes, previous to and as a condition of registration in cities, towns, and boroughs, and the making of affidavits of registry, and the giving of certificates of registry, and the right of appeal by any rejected claimant, shall be and the same is hereby repealed, save as to any registration had under the provisions of the said Act before the said eighth day of *September*, and save as to the University of *Dublin*, and save as to the ascertainment of the Assistant Barrister, Chairman, or Deputy of such Chairman, before whom the sessions for the registration of voters for any such county, city, town, or borough is to be held, and save as to the yearly remuneration provided by the said Act for any such Assistant Barrister and Chairman, and the remuneration provided for the Deputy of such Chairman in the case of the city of *Dublin*, and save so far as the said provisions of the said Act repeal any former Act.

Laws in force before the passing of this Act, as to right of voting and registration, to continue in force until the periods here mentioned.

XI. Provided always, and be it enacted, That, until the sixteenth day of *March* one thousand eight hundred and fifty-one, all persons who, under the laws in force immediately before the passing of this Act, would have been entitled to vote at any election of a member or members to serve in Parliament for any county, city, town, or bo-

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rough in *Ireland*, shall have and be entitled to the same right of voting at any such elections as if this Act had not been passed; and that until the ninth day of *September* one thousand eight hundred and fifty every person who, under the laws in force immediately before the passing of this Act, would have been entitled to be registered under the said recited Act, shall and may be registered in the same manner in all respects as if this Act had not been passed.

No person to vote after 15th March, 1851, unless registered under this Act.

XII. And be it enacted, That after the fifteenth day of *March* in the year of our Lord one thousand eight hundred and fifty-one, no person shall be entitled to vote in the election of a member or members to serve in Parliament for any county, city, town, or borough in *Ireland* (the University of *Dublin* only excepted), unless such person shall have been duly registered according to the provisions of this Act; and that no person shall after the said last-mentioned day be admitted or entitled to vote at any such election on the evidence or by virtue of any certificate or affidavit of registry whatsoever.

Length of possession required previous to registration under this Act for counties.

XIII. And be it enacted, that no person shall be registered under the provisions of this Act in any year as a voter in the election of a knight or knights of the shire in *Ireland*, in respect of his estate or interest in any lands, tenements, or hereditaments, as a freeholder or copyholder, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof for his own use, for six calendar months at least next previous to the ninth day of *November* in the year one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or next previous (in any succeeding year) to the twentieth day of *July* in such year, and that no person shall be so registered in any year in respect of any lands, tenements, or

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hereditaments held by him as lessee or as assignee of a lessee, or as occupier, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof for his own use, as the case may require, for twelve calendar months next previous to the ninth day of *November* in the year one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or next previous (in any succeeding year) to the twentieth day of *July* in such year: Provided always, that where any lands, tenements, or hereditaments, which would otherwise entitle the owner, holder, or occupier thereof to vote in any such election, shall come to any person at any time within such respective periods of six or twelve calendar months, by descent, succession, marriage, marriage settlement, devise, bequest, or promotion to any benefice or office, such person shall be entitled in respect thereof to have his name inserted as a voter in the election of a knight or knights of the shire in the lists then next to be made by virtue of this Act, as hereinafter mentioned, and, upon his being duly registered according to the provisions hereinafter contained, to vote in such election.

Certain conditions required previous to registration under this Act for boroughs.

XIV. And be it enacted, That no person shall be registered in any year under this Act as a voter in the election of a member or members to serve in Parliament for any city, town, or borough, in respect of being a five pound inhabitant householder in such city, town, or borough in *Ireland*, unless he shall have inhabited such house for a period of six calendar months next previous to the ninth day of *November* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or next previous (in any succeeding year) to the twentieth day of *July* in such year, nor unless he shall, on or before the thirtieth day of

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September one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and shall (in any succeeding year) on or before the first day of *July* in such year, have paid or discharged all the poor rates, if any, which shall have become payable by him in respect of such house previously to the thirty-first day of *March* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and previously (in any succeeding year) to the first day of *January* in such year; and that no person shall be so registered in any year as a voter in the election of a member or members to serve in Parliament for any city, town, or borough, as a freeman or forty-shilling freeholder, or by reason of any corporate or other right for the enjoyment of which residence is by law required, unless he shall have resided for six calendar months next previous to the ninth day of *November* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or next previous (in any succeeding year) to the twentieth day of *July* in such year, within such city, town, or borough, or within seven statute miles of the usual place of election therein, nor unless, in the case of a freeman or person entitled by such corporate or other right, he shall on the said last-mentioned respective days of such respective years be qualified in such manner as would have entitled him then to be registered or to vote under the said recited Act of the second and third years of His late Majesty, if this Act had not been passed; and that no person shall be so registered in any year as a voter in the election of a member or members to serve in Parliament for any such city, town, or borough, as lessee or as assignee of a lessee for any term of years, or as occupier of lands, tenements, or hereditaments within such city, town, or

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borough, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof for his own use, as the case may require, for a period of twelve calendar months next previous to the last mentioned respective days of such respective years; and that no person shall be so registered in any year as a voter in any such election in right of any freehold estate in lands, tenements, or hereditaments, within such city, town, or borough, unless he shall have been in the actual possession thereof, or in the receipt of the rents and profits thereof for his own use, for six calendar months next previous to the last-mentioned respective days of such respective years: Provided always, that when any lands, tenements, or hereditaments which would otherwise entitle the owner, holder, or possessor thereof to vote in any such election shall come to any person at any time within such respective periods of six or twelve calendar months, by descent, succession, marriage, marriage settlement, devise, bequest, or promotion to any benefice or office, such person shall in respect thereof be entitled to be registered as a voter in the register then next to be made under this Act.

Clerk of the Peace in counties to prepare list of persons now registered.

XV. And be it enacted, That, for the purpose of forming a Register of all persons entitled to vote in the election of a knight or knights of the shire to serve in Parliament for the several counties in *Ireland*, the Clerk of the Peace for every such county shall, on or before the ninth day of *September* in the year one thousand and fifty, make out and cause to be printed, according to the Form (No. 1.) in the Schedule (A.) to this Act annexed, alphabetical lists of all persons registered under the said recited Act within eight years previous to the sixteenth day of *March* then next ensuing, in respect of property situate wholly or part in each barony, as voters for such county, with

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the dates and particulars of their respective registries annexed, excluding nevertheless from such lists all persons registered under the said Act in respect of any qualification heretofore requiring the elector to be or to have been in the actual occupation of the premises: Provided always, that when the property in respect whereof any person has been so registered shall be situate in more than one barony, the Clerk of the Peace may, save as last aforesaid, insert the name of the person so registered in the lists of such one of such baronies as he shall think fit; and each such Clerk of the Peace shall, on or before the first day of *June* in every year after the year one thousand eight hundred and fifty-one, make out and cause to be printed or provided, according to the Form (Number 14.) in the said Schedule a sufficient number of copies of such parts of the Register under this act of voters then in force for such county as shall relate to each barony of such county.

Precepts and lists to be printed, and Clerk of Peace to send his precept to Clerks of Unions, together with copies of registers of voters.

XVI. And be it enacted, That the Clerk of the Peace for every such county shall cause a sufficient number of forms of precepts, notices, and lists to be printed as required, according to the respective Forms numbered 2, 3, 4, 5, 6, 8, 10, 13, 15, in the said Schedule (A.) and of the Table (numbered 1.) in the Schedule (C.) to this Act annexed, and shall also, on or before the ninth day of *September* in the year one thousand eight hundred and fifty, and on or before the first day of *June* in each year after the year one thousand eight hundred and fifty-one, make and cause to be delivered to the Clerk of every Poor Law Union situate wholly or in part within his county his precept according to the Form (numbered 2.) in the said Schedule (A.), and one or more of the Forms (Number 4.) in the said schedule, and shall in every succeeding year make out and cause to be delivered to every such Clerk

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of a Union his precept, according to the Form (Number 3.) in the Schedule (A.), together with one or more copies of such parts of the lists of registered voters under the said recited Act, or of the Register under this Act, of voters then in force for such county as shall relate to each barony or part of a barony of such county situate in the Union of which he acts as Clerk of the Union, and also one or more of the Forms (Number 15.) in the said Schedule.

In the year 1850 Clerks of Unions to make out and transmit to Clerks of Peace returns of persons rated as occupiers of lands of annual value of 12*l.* or upwards who have duly paid their poor rates.

XVII. (*a*) And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the limits of any county in *Ireland* shall, on or before the tenth day of *October* in the year one thousand eight hundred and fifty, make out and transmit to the Clerk of the Peace of each county into which any part of such Union extends a list or return for each barony or division of a barony of such county situate within such Union of every male person of full age who shall be rated in the then last rate made under the Acts for the more effectual relief of the destitute poor in *Ireland* as the occupier of any lands, tenements, or hereditaments situate in such barony or division of a barony, and within such Union, of a net annual value of twelve pounds or upwards, excluding nevertheless from such return every such occupier who shall not, on or before the thirtieth day of *September* in such year, have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously to the thirty-first day of *March* then last, and such return shall be in the form and shall contain the particulars mentioned in the Form (Number 4.) in the Schedule (A.) to this Act annexed; and each such Clerk of a Union, after due in-

(*a*) These lists must be made out in alphabetical order, 31 & 32 Vict. c. 112, s. 31.

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quiry, which he is required to make, with the assistance of the respective collector or collectors of poor rates for such respective barony or division of a barony (and which assistance such collector or collectors is and are hereby required to give for such purpose), shall and is hereby required to add by a stamp or in writing in the margin of such return the word "objected" to the name of any person inserted in such return, in case such Clerk of the Union shall have reasonable cause to believe such person not to be or to have ceased to be occupier as aforesaid of the lands, tenements, or hereditaments in respect of which he shall have been so rated, or not to have been such occupier during the whole period from the ninth day of *November* in the then last preceding year to the time of making such return; and such Clerk of the Union shall also in like manner add the word "objected" or "dead" before the name of any person in such return, if such Clerk of the Union shall have reasonable cause to believe that such person is not entitled to have his name on the Register of voters then next to be made for such county, or is dead, as the case may be; and such return shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his belief, by an oath to be made by him before some Justice of the Peace in and for the said county within which such lands are situate, or the county in which the Union Workhouse is situate, and which oath any Justice is hereby authorized and required to administer, and such Justice shall under his hand certify at the foot of such return the taking of such oath.

Clerk of Peace in the year 1850, at the end of the list of registered voters for

XVIII. And be it enacted, That the Clerk of the Peace of every county in *Ireland* shall, on or before the ninth day of *November* in the year one thousand eight hundred and fifty, frame a Supplemental List of rated oc-

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each barony, to annex a Supplemental List of rated occupiers returned by Clerk of Union not on former list, and to objections as herein required, and to publish such lists.

cupiers for every barony of such county, hereinafter referred to as "The Supplemental List," according to the Form (numbered 5.) in said Schedule (A.) to this Act annexed, of every such male person of full age as shall appear on the return or the returns as aforesaid transmitted to him by the Clerk of the Union, or (in case of a barony being situate in more than one Union) by the Clerks of such Unions, in such year, as the rated occupier of lands, tenements, or hereditaments in each such barony of the net annual value of twelve pounds or upwards, except such persons whose names already appeared on the list of voters registered under the said recited Act for such barony made out as aforesaid in such year by such Clerk of the Peace; and shall, at the end of such list of registered voters, annex such Supplemental List of rated occupiers for such barony, together with the marginal objections added by the Clerk of the Union to the names of any persons included in such Supplemental List; and such Clerk of the Peace shall also add, by a stamp or in writing, the word "objected" or "dead" in the margin of the list of registered voters made out by him in such year before the name of any person inserted therein, if such Clerk of the Peace shall, after due inquiry (which he is hereby required to make by himself or a sufficient deputy, and having regard also to and inserting any objections entered to the name of any such person in the said Clerk of the Union's return), have reasonable cause to believe that such person is not entitled to have his name on the Register next to be made, or is dead, as the case may be; and the Clerk of the Peace in such year shall cause a sufficient number of copies of such list of registered voters, with all such marginal additions as aforesaid, and also of "The Supplemental List" for such barony, with all such marginal additions as aforesaid, to be written or

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printed, and shall on or before the twelfth day of *November* sign and publish the same in such respective barony, and shall likewise keep at some police station or other house within such respective barony (giving due notice of such police station or house at the time last aforesaid) a copy of such list of registered voters and of such "Supplemental List," with all the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sundays, during the first fourteen days after the same shall have been published, and shall deliver written or printed copies of such list of registered voters and Supplemental List, or either of them, signed by him, to all persons applying for the same, on payment of a price for each copy after the rate contained in the Table (numbered 1.) in the said Schedule (C.) to this Act annexed.

Clerks of Unions to enter on the copy of Register of each barony objections to all persons therein stated to be qualified as rated occupiers of lands of annual value of 12*l.* or upwards, who have not duly paid their poor rates, or are otherwise not entitled, and to return such copy of Register to Clerk of Peace.

XIX. And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the limits of any county in *Ireland*, on or before the eighth day of *July* in every year after one thousand eight hundred and fifty-one, shall, after due inquiry, which he is hereby required to make, with the assistance of the respective collector or collectors of poor rates (which assistance such collector or collectors is and are hereby required to give), upon the copy of the Register of each barony or division of a barony of such county included within such Union transmitted to him in such year by the Clerk of the Peace of such county, enter objections to the names of persons not entitled to be on the Register then next to be made, in manner following; that is to say, such Clerk of the Union shall add, by a stamp, or in writing, in the margin for such purpose, the word "objected" or "dead" before the name of any

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person whose qualification, as stated on such copy of Register, is as rated occupier of lands, tenements, or hereditaments of the annual value of twelve pounds or upwards, if such person shall not have been rated in the then last rate made under the Acts for the more effectual relief of the destitute poor in *Ireland* as the occupier of the same lands, tenements, or hereditaments in such respective barony of a net annual value of twelve pounds or upwards, or if such person shall not, on or before the first day of *July* in such year, have paid all poor rates (if any) which shall have become payable by him in respect of such lands, tenements, or hereditaments previously to the first day of *January* in such year, or if such Clerk of the Union shall have reasonable cause to believe such person not to be or to have ceased to be occupier as aforesaid, or not to have been such occupier during the whole period from the twentieth day of *July* in the then last preceding year to the then present time, or if such Clerk of the Union shall have reasonable cause to believe such person not to be entitled to have his name on the Register of voters then next to be made for such county, or to be dead, as the case may be; and such copies of Register shall be in the form and shall contain the particulars mentioned in the Form (Number 14.) in the Schedule (A.) to this Act annexed; and such copies of Register shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his belief, by an oath to be made by him before some Justice of the Peace in and for the said county within which such lands are situate, or the county in which the Union Workhouse is situate, and which oath any such Justice is hereby authorized and required to administer, and to certify at the foot of such copies of Register the taking of such oath; and such Clerk of the Union shall return each such copy

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of Register, with all such marginal additions as aforesaid, to the Clerk of the Peace of such respective county wherein such barony or division of a barony is situate, on or before the eighth day of *July* in such year: Provided always, that in case any barony of a county shall be divided so as to lie in more than one Union, the Clerk of the Peace of such county shall transmit as aforesaid one or more copies of Register for such barony to the Clerk of each such Union, together with a list of the townlands situate in the respective division of such barony situate in such Union, who shall deal with such copy of Register, and the names of the persons contained therein, so far as it relates to the division of such barony within his Union, in all respects as in this provision is directed or required in the case of a barony not so divided.

In every year after 1851 Clerks of Unions also to transmit to Clerk of Peace Supplemental Lists of persons rated as occupiers of lands of annual value of 12*l.* or upwards who have paid their poor rates, and are not already on the Register for the barony.

XX. And be it enacted, That the Clerk of each Poor Law Union wholly or in part within the limits of any county in *Ireland* shall, on or before the eighth day of *July* in every year after the year one thousand eight hundred and fifty-one, make out, and, together with such copy of Register for each such barony or division of a barony of the county within his Union, transmit to the Clerk of the Peace of the county as aforesaid a Supplemental List of every male person of full age not already appearing on such copy of Register who shall be rated in the then last rate made under the Acts for the more effectual relief of the destitute poor of *Ireland* as the occupier of any lands, tenements, or hereditaments situate within such Union, and in such respective barony or division of a barony, as the case may be, of a net annual value of twelve pounds or upwards, excluding nevertheless from such Supplemental List every such occupier who shall not on or before the first day of *July* in such year have paid all poor rates (if any) which shall have become payable by him in respect of such lands, tenements, or hereditaments pre-

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viously to the first day of *January* then last; and such Clerk of the Union is hereby required, after due inquiry as aforesaid, with the assistance of the respective collector or collectors of poor rates as aforesaid (which assistance such collector or collectors is and are hereby required to give), to enter objections before the names of persons in such Supplemental List contained, and not entitled to be on the Register next to be made, in like manner in all respects and in the like cases as in the immediately preceding provision directed and required with regard to the copy of Register of such barony or division of a barony, and the names therein contained, and such Supplemental List shall be in the form and shall contain the particulars mentioned in the Form (Number 15) in the Schedule (A), to this Act annexed; and such list shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his belief, by an oath to be made by him before some Justice of the Peace in and for the said county within which such lands are situate, or the county in which his respective Union Workhouse is situate, and which oath any such Justice is hereby authorized and required to administer, and to certify at the foot of such list the taking of such oath.

Clerk of Peace on copy of Register of each barony returned by Clerk of Union to enter objections to persons not entitled as herein required, and to publish such copy of Register.

XXI. And be it enacted, That the Clerk of the Peace of every county in *Ireland* shall, on or before the twentieth day of *July*, in every year after one thousand eight hundred and fifty-one, after making due inquiry (which he is hereby required to make by himself or a sufficient deputy), upon the copy of the Register for each barony or division of a barony aforesaid returned to him by the respective Clerk of the Union, enter objections before the names of persons therein contained, and not entitled to be on the Register next to be made, in manner following; that is to say, he shall add, by a stamp or in writing, in the margin

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for such purpose, the word "objected" or "dead" before the name of any person in such copy of Register, whose qualifications as stated therein is other than as rated occupier, if such Clerk of the Peace, after such due inquiry as aforesaid, have reasonable cause to believe that such person is not entitled to have his name on the Register next to be made, or is dead, as the case may be; and in the case of a barony being divided so as to be situate in several Unions as aforesaid, the Clerk of the Peace shall make out one complete copy of Register for such barony, by selecting the copy of Register so returned to him for one such division of such barony, and truly and carefully transferring to such copy of Register all the objections entered in the other copy or copies of such Register to any person or persons in the other division or divisions of such barony by the Clerk of the Union, or Clerks of the Unions, comprising such other division or divisions of such barony; and the Clerk of the Peace shall cause a sufficient number of copies of such copy of the Register for each barony, with all such marginal additions as aforesaid, and also of "The Supplemental List" for such barony, with all such marginal additions as aforesaid, to be written, printed, or provided, and shall, on or before the twenty-second day of *July*, sign and publish the same in the barony to which the same shall relate, and shall likewise keep at some police station or other house within such respective barony (giving due notice of such police station or house at the time last aforesaid) a copy of such copy of the Register, and of such "Supplemental List," with all the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sundays*, during the first four-

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teen days after the same shall have been published, and shall deliver written or printed copies of them, or either of them, signed by him, to all persons applying for the same, on payment of a price for each copy, after the rate contained in the Table (numbered 1.) in the said Schedule (C.), to this Act annexed.

Clerks of Peace to give notice annually, requiring voters to claim.

XXII. And be it enacted, that the Clerk of the Peace of every county in *Ireland* shall, on or before the twelfth day of *November*, in the year one thousand eight hundred and fifty, publish a notice in each barony according to the Form (numbered 6.) in the said Schedule (A.), having first signed the same, requiring all persons entitled by virtue of any registration under the said recited Act or otherwise to be inserted in the Register and vote in the election of a knight or knights of the shire to serve in Parliament, in respect of any property situated wholly or in part within each barony, who shall not be upon the said List for such barony of voters registered under the said recited Act, and shall not be on the Supplemental List for such barony, and also all persons entitled to vote as aforesaid, who, having been registered under the said Act, shall not retain the same qualification or continue in the same place of abode as described in such list of registered voters, and who respectively are desirous to have their names inserted in the Register about to be made under this Act (except persons registered under the said recited Act in respect of any qualification heretofore requiring the elector to be, or to have been, in the actual occupation of the premises), to deliver or send to him at his office, on or before the twenty-fifth day of *November* in the year one thousand eight hundred and fifty, a notice in writing, by them signed, of their claim to vote as aforesaid; and every such person, or any person, who, being upon such list of registered voters as aforesaid, may

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be desirous to make a new claim, shall, on or before the said twenty-fifth day of *November* deliver or send to the said Clerk of the Peace a notice, signed by him, of his claim, according to the form of notice set forth in that behalf in the Form (numbered 7.) in the said Schedule (A.), or to the like effect; and the Clerk of the peace of every county shall on or before the twenty-second day of *July* in every year after one thousand eight hundred and fifty-one, publish in each barony a notice according to the Form numbered 8.) in the said Schedule (A.), having first signed the same, requiring all persons entitled to vote in the election of a knight or knights of the shire to serve in Parliament in respect of any property situate wholly or in part in each barony, who shall not be upon the Register for such barony of voters then in force, and shall not be on the Supplemental List for such barony, and all persons so entitled to vote as aforesaid, who, being upon such Register, shall not retain the same qualification or continue in the same place of abode, as described in such Register, and who are desirous to have their names inserted in the Register about to be made, to give or send to the said Clerk of the Peace, at his office, on or before the fourth day of *August* then next ensuing, a notice in writing, by them signed, of their claim to vote as aforesaid; and every such person, and any person, who, being upon such Register, may be desirous to make a new claim, shall on or before the said fourth day of *August* deliver or send to the said Clerk of the Peace, at his office, a notice, signed by him, of his claim, according to the form of notice set forth in that behalf in the Form (numbered 9.) in the said Schedule (A.), or to the like effect.

Clerks of Peace to prepare lists

XXIII. And be it enacted, that the Clerk of the Peace of every county in *Ireland* shall on or before the thir-

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of claimants, make objections, &c.

tieth day of *November* in the year one thousand eight hundred and fifty, and on or before the ninth day of *August* in every year after one thousand eight hundred and fifty-one, make out, according to the Form (numbered 10.) in the said Schedule (A.), an alphabetical list for each barony of all persons who, on or before the twenty-fifth day of *November* in the year one thousand eight hundred and fifty, or on or before the fourth day of *August* then next preceding in each year after one thousand eight hundred and fifty one, shall have claimed as aforesaid for such barony; and in every such list the Christian name and surname of every claimant, with the place of his abode, the nature of his qualifications, and the local or other description of the property, and the name of the occupying tenant thereof (if any), shall be written as the same are stated in the claim; and the said Clerk of the Peace, if he shall have reasonable cause to believe that any person whose name shall appear in such list of claimants is not entitled to have his name upon the Register for such barony then next to be made, shall add by a stamp or in writing, the word "objected" before the name of every such person, on the margin of such list of claimants; and the Clerk of the Peace shall cause a sufficient number of copies of such list of claimants in each barony, with all such marginal additions as aforesaid, to be written or printed, and shall, on or before the second day of *December* in the year one thousand eight hundred and fifty, on or before the eleventh day of *August* in each year after one thousand eight hundred and fifty-one,

Copies of lists to be kept for inspection without fee for 14 days, and may be sold.

sign and publish the same in such barony to which the same relates, and shall likewise keep at some police station or house within such respective barony (giving due notice of such police station or house at the respective times last aforesaid), a copy of such list of claimants, with

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the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, during the first fourteen days after the same shall have been published, and shall deliver written or printed copies thereof, signed by him, to all persons applying for the same, on payment of a price for each copy after the rate contained in the Table (numbered 1.) in the said Schedule (C.), to this Act annexed.

List of registered voters or the copy of Register for each barony, with the list of claimants, to be deemed the list of voters for such barony.

XXIV. And be it enacted, That in the year one thousand eight hundred and fifty, and for the purposes of the Register for one thousand eight hundred and fifty-one, the list as aforesaid of voters registered under the said recited Act, and in every succeeding year the copy of the Register for the time being, together, in such respective year, with the Supplemental List and such list of claimants (if any) as aforesaid, for every barony, with the marginal additions respectively as aforesaid, shall be deemed to be the list of voters of such barony for the county within which such barony may be situate, for the purposes hereinafter mentioned.

Claimants and registered voters empowered to inspect rate books, and to take extracts, without fee.

XXV. And be it enacted, That it shall be lawful for any person whose name shall be on any list of voters for the time being for any county in *Ireland*, upon request made by him, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, between the twelfth day of *November* and the thirteenth day of *December* in the year one thousand eight hundred and fifty, and between the twenty-seventh day of *July* and the twenty-first day of *August* in every year after one thousand eight hundred and fifty-one, to any Clerk of the Union or other officer having the custody of any poor rate book, to inspect such

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poor rate book, and make extracts therefrom, for any purpose relating to any claim or objection made or intended to be made by or against such person; and every such Clerk of the Union or other officer as aforesaid is hereby required, upon such request as aforesaid, to permit such inspection and the making of such extracts, without payment of any fee.

Registered voters empowered to object to persons registered or claiming.

XXVI. And be it enacted, That in the year one thousand eight hundred and fifty every person who shall have been registered as a voter for any county in *Ireland* under the provisions of the said recited Act within eight years next previous to the sixteenth day of *March* in the year one thousand eight hundred and fifty-one, and in every year after one thousand eight hundred and fifty-one every person who shall be upon the Register of voters for the time being for any such county, may object to any other person upon any list of voters or list of claimants for such county as not having been entitled on the ninth day of *November* next preceding (as regards the year one thousand eight hundred and fifty), and on the twentieth day of *July* then next preceding (as regards each year after one thousand eight hundred and fifty-one), to have his name inserted in any list of voters or claimants for such county; and every person so objecting (save and except Clerks of the Peace and Clerks of the Union objecting in the manner hereinbefore mentioned) shall on or before the twelfth day of *December* in the year one thousand eight hundred and fifty, and on or before the twentieth day of *August* in each year after one thousand eight hundred and fifty-one, give or cause to be given to the Clerk of the Peace of the county a notice, according to the Form (numbered 11.) in the said Schedule (A.), or to the like effect; and the person so objecting shall on or before the said twelfth day of *December* in the year one thousand eight hundred

Notice of objection.

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and fifty, and on or before the twentieth day of *August* in each year after one thousand eight hundred and fifty-one, give or cause to be given to the person so objected to, or leave or cause to be left at his place of abode as described in such list, a notice according to the Form (numbered 12.) in the said Schedule (A.), or to the like effect; and every such notice of objection shall be signed by the party so objecting as aforesaid; and whenever the place of abode of the person objected to as described in the said list shall not be in the barony to which such list may relate, and the name of the occupying tenant of the whole or any part of the qualifying property, together with his place of abode, shall appear in such list, the person so objecting shall also, on or before the same day, give to or leave, or cause to be given or left, at the place of abode of any such occupying tenant, a duplicate notice, signed as aforesaid.

Clerk of the Peace to make out a list of persons objected to, which shall be open to inspection, and shall be published.

XXVII. And be it enacted, That the Clerk of the Peace shall in every year include the names of all persons against whom notice of objection shall have been given to him as aforesaid in that year in a list for each barony, according to the Form (numbered 13.) in the said Schedule (A.), and shall publish such list in such barony on or before the fourteenth day of *December* in the year one thousand eight hundred and fifty, and on or before the twenty-second day of *August* in each year after one thousand eight hundred and fifty-one, and shall also keep at some police station or other house in such respective barony (giving due notice of such police station or house at the respective times last aforesaid) a copy of such list, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, during the first fourteen days after such

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list shall have been so published, and shall deliver a copy of such list to any person requiring the same, on payment of a price for each copy after the rate contained in the Table (numbered 1.) in the Schedule (C.) to this Act annexed: Provided also, that the Clerk of the Peace shall in due time for the purposes aforesaid in each year cause to be printed or provided a sufficient number of notices of claim according to the Forms (No. 7. and 9.), and of the notices of objection according to the Forms (No. 11. and 12.) in the said Schedule (A.), or to the like effect, and shall give a copy thereof, without cost or charge, to any person applying for the same in order to make a claim of objection.

Clerk of the Peace acting for borough to prepare lists of persons now registered, except as herein mentioned.

XXVIII. And be it enacted, That for the purpose of forming a Register of all persons entitled to vote in the election of a member or members to serve in Parliament for the several cities, towns, and boroughs in *Ireland*, the Clerk of the Peace of or acting in or for every such city town, or borough entitled to return a member or members to serve in Parliament shall, on or before the ninth day of *September* in the year one thousand eight hundred and fifty, make out according to the Form (numbered 1.) in the Schedule (B.) to this Act annexed, an alphabetical list of all persons, if any, registered within eight years next previous to the sixteenth day of *March* then next ensuing, as voters for such city, town, or borough, under the said recited Act to amend the Representation of the People of *Ireland*, in respect of the inhabitancy of houses situate within such city, town, or borough, with the dates and particulars of their respective registries annexed, and another alphabetical list, according to the Form (numbered 2.) in the said Schedule (B.), of all other persons (except persons on the freemen's roll, and except all persons registered under the said recited Act in respect of the

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occupation of premises of the clear yearly value of not less than ten pounds, or in respect of any qualification, save that of forty shilling freeholders, requiring the elector to be or to have been in actual occupation,) registered under the said Act, within the period aforesaid, by virtue of any other right whatsoever, as voters for such city, town, or borough, with the dates and particulars of their respective registries annexed, and a third alphabetical list, according to the Form (numbered 3.) in the said Schedule (B.) of all persons on the freemen's roll registered under the said Act within the period aforesaid as voters for such city, town, or borough, with the dates and particulars of their respective registries annexed; and each such Clerk of the Peace shall on or before the first day of *June* in the year one thousand eight hundred and fifty-two, and each of the next succeeding five years, make out, according to the like Forms, separate alphabetical lists of all persons, except as aforesaid, registered under the said recited Act within eight years previous to the first day of *December* then next ensuing, who shall then appear on the Register of voters for such city, town, or borough, with the dates and particulars of their respective registries annexed, each in the proper list, according to the nature of his franchise.

Precept, forms, and printed lists to be delivered by the Clerk of the Peace to Town Clerk.

XXIX. And be it enacted, That the Clerk of the Peace of or acting in or for every such city, town, or borough shall cause a sufficient number of Forms of notices and lists to be printed, according to the respective Forms (numbered 5, 6, 7, 8, 9, 11, 12, 13, 16, 17, and 18) in the said Schedule (B.), and of the Table (numbered 1.) in the said Schedule (C.) to this Act annexed, and shall also, on or before the ninth day of *September* in the year one thousand eight hundred and fifty, and on or before the first day of *June* in the year one thousand eight hundred and fifty-two, and every succeeding year, make and cause

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to be delivered to the Town Clerk of every such city, town, or borough his precept in writing, according to the Form (numbered 4.), in the said Schedule (B.), and also a sufficient number of the said printed Forms of notices and lists and of the said Table, and shall also in the years one thousand eight hundred and fifty and one thousand eight hundred and fifty-two, and each of the next succeeding five years, deliver together therewith to the Town Clerk of every such city, town, or borough the said alphabetical lists directed to be made out by him as aforesaid, and also in every year after the year one thousand eight hundred and fifty-one a sufficient number of the copies of the Register under this Act of voters then in force for such city, town, or borough.

Town Clerks of boroughs, &c. to publish previous to registration notice requiring payment of poor rate.

XXX. And be it enacted, That the Town Clerk of every such city, town, or borough shall on or before the thirteenth day of *September* in the year one thousand eight hundred and fifty, and on or before the fifth day of *June* in every year after one thousand eight hundred and fifty-one, publish a notice in writing, according to the Form (numbered 5.) in the said Schedule (B.), stating that no person will be entitled to have his name inserted in any list of voters for such city, town, or borough then next to be made in respect of the inhabitancy of a house, or in respect of the occupation of premises rated under the Acts for the relief of the destitute poor in *Ireland*, as of a net annual value of eight pounds or upwards, situate within such city, town, or borough, unless he shall pay, on or before the thirtieth day of *September* in the year one thousand eight hundred and fifty, and on or before the first day of *July* then next ensuing in each year after one thousand eight hundred and fifty-one, all the poor rates (if any) which shall have become payable by him in respect of such pre-

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mises previously to the thirty-first day of *March* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and previously, in any succeeding year, to the first day of *January* in such year.

Town Clerks empowered to inspect rate books, and obtain list of defaulters.

XXXI. And be it enacted, That the Town Clerk of every such city, town, or borough, for his assistance in making out the list of voters as hereinafter mentioned (upon request made by him at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, between the fifth day of *November* and the twelfth day of *December* in the year one thousand eight hundred and fifty, and between the sixteenth day of *June* and the twentieth day of *July* in every year after one thousand eight hundred and fifty-one, to any collector of poor rates, or to any other officer having the custody of any such rate or rate book), shall have free liberty to inspect the same, and to extract such particulars as may appear to such Town Clerk to be necessary; and every collector of poor rates of premises within such city, town, or borough, or officer having the custody of the rate books relating to the same, shall (if required by the Town Clerk) within four days after the thirtieth day of *September* in the year one thousand eight hundred and fifty, or the first day of *July* in every year after one thousand eight hundred and fifty-one, make out and deliver to the said Town Clerk a list containing the name and place of abode of every person who shall not have paid on or before the thirtieth day of *September* in the year one thousand eight hundred and fifty, and on or before the said first day of *July* in each year after one thousand eight hundred and fifty-one, all such rates within the collection of such collector as aforesaid which shall have become payable by him (if any) in

Poor rate collector to deliver to Town Clerk list of defaulters, if required.

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respect of the occupation of any lands, tenements, or hereditaments in such city, town, or borough, describing such premises, previously to the thirty-first day of *March* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and previously, in any succeeding year, to the first day of *January* in such year; and the Town Clerk shall keep the said list, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, during the first fourteen days after the list of voters shall have been published as hereinafter mentioned.

Town Clerk to keep list, to be open to inspection, without fee.

Clerks of Unions to transmit to Town Clerk list of persons rated as occupiers of premises of an annual value of 8*l.* or upwards.

XXXII. And be it enacted, That the Clerk of every Poor Law Union comprising the whole or any part of any city, town, or borough in *Ireland* returning a member or members to serve in Parliament shall, on or before the tenth day of *October* in the year one thousand eight hundred and fifty, and on or before the eighth day of *July* in every year after one thousand eight hundred and fifty-one, make out and transmit to the Town Clerk of each such city, town, or borough a list of every male person of full age who shall be rated in the then last rate made under the Acts for the more effectual relief of the destitute poor in *Ireland* as the occupier of any lands, tenements, or hereditaments situate within such city, town, or borough, of a net annual value of eight pounds and upwards, and of every such person as last aforesaid who shall be rated in the then last rate made under the said Acts jointly with any other person or persons as the occupier of any such lands, tenements, or hereditaments, situate as aforesaid, of a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net annual value of eight pounds or

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upwards, excluding nevertheless from such list every such occupier and every such joint occupier who shall not in the year one thousand eight hundred and fifty on or before the thirtieth day of *September*, and in each year after one thousand eight hundred and fifty-one shall not on or before the first day of *July* in such year, have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously (in the year one thousand eight hundred and fifty) to the thirty-first day of *March* in such year, and previously (in any year after one thousand eight hundred and fifty-one) to the first day of *January* then last; and such lists shall be in the form and shall contain the particulars mentioned in Form (No. 6.) in Schedule (B.) to this Act annexed: and such lists shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct according to the best of his belief, by an oath or declaration to be taken or made by him before some Justice of the Peace acting in and for the said city, town, or borough, or the county in which the Union workhouse is situate, and which oath or declaration any such Justice is hereby authorized and required to take.

Town Clerk to make out annually lists of persons entitled to vote.

XXXIII. And be it enacted, That the Town Clerk of every such city, town, or borough shall, on or before the ninth day of *November* in the year one thousand eight hundred and fifty, and on or before the twentieth day of *July* in every year after one thousand eight hundred and fifty-one, make out or cause to be made out alphabetical lists of all persons who shall be entitled to vote in the election of a member or members to serve in Parliament for such city, town, or borough; that is to say, first an alphabetical list according to the Form (numbered 7.) in the Schedule (B.) to this Act annexed, of every such male person of full age as shall appear on the list transmitted

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to him by the Clerk of the Union in such respective year as the rated occupier, or one of several such rated joint occupiers, of lands, tenements, or hereditaments situate within such city, town, or borough, of the net annual value of eight pounds or upwards, and (in the case of joint occupiers) of the net annual value of eight pounds or upwards for each of such joint occupiers as aforesaid, and also of all persons (if any) who shall be then entitled to vote in the election of a member or members to serve in Parliament for such city, town, or borough in respect of the inhabitancy of houses; and another alphabetical list, according to the Form (numbered 8.) in the said Schedule (B.), of all other persons (except persons on the freemen's roll) who shall be entitled to vote in the election of such city, town, or borough by virtue of any other right whatsoever; and a third alphabetical list, according to the Form (numbered 9.) in the Schedule (B.), of all persons on the freemen's roll who shall be entitled to vote in the election of such city, town, or borough, and shall in the year one thousand eight hundred and fifty, and the year one thousand eight hundred and fifty-two, and in each of the next succeeding five years, insert in such lists respectively all persons on the several alphabetical lists delivered to such Town Clerk by the Clerk of the Peace as afore provided, with the dates of their respective registries under the said recited Act annexed, each in the proper list according to the nature of his franchise (except all persons registered under the said recited Act in respect of the occupation of premises of the clear yearly value of not less than ten pounds situate within such city, town or borough): Provided always, that such Town Clerk shall omit from the first-mentioned list of all such persons as shall not have paid on or before the thirtieth day of *September* in the year one thousand eight hundred

Persons now registered to be placed on such lists, unless disqualified.

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and fifty, or on or before the first day of *July* in each year after one thousand eight hundred and fifty-one, all poor rates payable by them severally, if any, in respect of such lands, tenements, and hereditaments, previously to the thirty-first of *March* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), and previously (in any succeeding year) to the first day of *January* in such year, and shall in like manner omit from the two last-mentioned lists all such forty shilling freeholders, freemen, and others entitled to vote by any right to the enjoyment of which residence is by law required, as shall not have resided for six calendar months next previous to the ninth day of *November* in the year one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or next previous (in any succeeding year) to the twentieth day of *July* in such respective year, within the said city, town, or borough, or within seven statute miles of the usual place of election therein, and shall add, by a stamp or in writing, the word "objected" to the name of any person inserted in such first-mentioned list in case such Town Clerk shall have reasonable cause to believe such person not to be or to have ceased to be occupier or joint occupier as aforesaid of the premises in respect of which he shall have been rated, or not to have been such occupier or joint occupier for the space of twelve calendar months next previous to the said last-mentioned respective days in such respective years; and such Town Clerk shall in every year after one thousand eight hundred and fifty-one in like manner add the word "objected" to the name of every person whose qualification appearing on such copy of Register shall be the occupation or joint occupation of premises of the net annual value of eight pounds or upwards, or (in the case of

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joint occupiers) of the net annual value of eight pounds or upwards for each of such joint occupiers, and who shall not appear in the list transmitted to him by the Clerk of such Union in such year; and such Town Clerk in every year shall also in like manner add the word "objected" or "dead" before the name of any person contained in such list of voters or copy of Register delivered by the Clerk of the Peace as aforesaid, if such Town Clerk have reasonable cause to believe that such person is not entitled to have his name on the Register then next to be made, or is dead, as the case may be; and in each of the said lists the Christian name and surname of every such person shall be written at full length, together with the place of his abode and the nature of his qualification, and where any person shall be entitled to vote in respect of any lands, tenements, or hereditaments, then the name of the street, lane, and the number of the house (if any), or other description of the place where such lands, tenements, or hereditaments may be situate, shall be specified in the list; and the said Town Clerk shall sign such list, and shall forthwith cause a sufficient number of copies of the said lists, with all such marginal additions, to be written or printed, and shall publish copies of the said lists on or before the twelfth day of *November* in the year one thousand eight hundred and fifty, and on or before the twenty-second day of *July* in each year after one thousand eight hundred and fifty-one, and shall likewise keep a copy of each of the said lists, to be perused by any person without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, during the first fourteen days after such lists shall have been so published, and shall deliver copies thereof to all persons applying for the same, on payment of a price for each copy after the rate con-

Lists when signed, to be published and sold.

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tained in the Table (numbered 1.) in the Schedule (C.) to this Act annexed.

Persons omitted from lists of voters may claim, and lists of claimants to be made and published, and sold.

XXXIV. And be it enacted, That every person whose name shall have been omitted in any such list of voters for any such city, town, or borough, so to be made out as aforesaid, and who shall claim as having been entitled on the ninth day of *November*, one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or on the twentieth of *July* then next preceding (as regards every year after one thousand eight hundred and fifty-one), by virtue of any registration under the herein-before first-recited Act or otherwise, to have his name inserted therein (except persons claiming by virtue of any such registration in respect of the occupation of premises of the clear yearly value of not less than ten pounds); and every person desirous of being registered for a different qualification than that for which his name appears in the said list, shall on or before the twenty-fifth day of *November*, in the year one thousand eight hundred and fifty, and on or before the fourth day of *August* in each year after one thousand eight hundred and fifty-one, give or cause to be given to the Town Clerk of such city, town, or borough a notice according to the Form (numbered 10) in the said Schedule (B.), or to the like effect; and the Town Clerk shall include the names of all persons so claiming as aforesaid in lists according to the Forms (numbered 11, 12, and 13), respectively in the said Schedule (B.); and in every such list the Christian name and surname of every claimant, with the place of his abode, the nature of his qualifications, and the local or other description of the property, shall be inserted as the same are stated in the claim: and the said Town Clerk, if he shall have reasonable cause to believe that any person whose name shall

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appear in such list of claimants is not entitled to have his name upon the Register then next to be made, shall add as aforesaid the word "objected" before the name of every such person on the margin of such list of claimants; and the Town Clerk shall cause a sufficient number of copies of such lists of claimants, with all such marginal additions as aforesaid, to be written or printed; and shall on or before the second day of *December*, in the year one thousand eight hundred and fifty, and on or before the eleventh day of *August* in every year after one thousand eight hundred and fifty-one, sign and publish the same; shall likewise keep copies of such lists of claimants, with the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, during the first fourteen days after the same shall have been published, and shall deliver written or printed copies thereof, signed by him, to all persons applying for the same, on payment of a price for each copy after the rate contained in the Table (numbered 1.) in the said Schedule (C.) to this Act annexed.

Registered voters and claimants may inspect rate books.

XXXV. And be it enacted, That it shall be lawful for any person whose name shall be on any list of voters for the time being for any such city, town, or borough, or for any person who shall have claimed to have his name inserted in any such list, upon request made by any such person, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, between the fifteenth day of *November* and twelfth day of *December*, in the year one thousand eight hundred and fifty, and between the twenty-seventh day of *July* and the twentieth day of *August* in each year after one thousand eight hundred and fifty-one,

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to any collector of poor rate or other officer having the custody of any such rate or rate-book, to inspect the same, and make extracts therefrom, for any purpose relating to any claim or objection made or intended to be made by or against such person; and every such collector or other officer as aforesaid is hereby required, upon such request as aforesaid, to permit such inspection and the making such extracts, without payment of any fee.

Who may object.

XXXVI. And be it enacted, That every person whose name shall have been inserted in any list of voters for any such city, town, or borough, may object to any other person as not having been entitled on the ninth day of *November*, one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or on the twentieth day of *July* next preceding (as regards each year after one thousand eight hundred and fifty-one), to have his name inserted in a list of voters or list of claimants for the same city, town, or borough; and every person so objecting (save and except Town Clerks objecting in the manner herein-before mentioned) shall on or before the twelfth day of *December*, in the year one thousand eight hundred and fifty, and on or before the twentieth day of *August* in each year after one thousand eight hundred and fifty-one, give or cause to be given a notice according to the Form (numbered 14.) in the said Schedule (B.), or to the like effect, to the Town Clerk of such city, town, or borough; and every person so objecting shall also, on or before the said twelfth day of *December*, in the year one thousand eight hundred and fifty, and on or before the twentieth day of *August* in each year after one thousand eight hundred and fifty-one, give or cause to be left at the place of abode of the person objected to, as stated in the said list, a notice according to the Form (numbered 15.) inthe said Schedule (B.);

Notice of objection shall be given.

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and every notice of objection shall be signed by the person objecting.

List of persons objected to shall be made and published, and sold.

XXXVII. And be it enacted, That the said Town Clerk shall include the names of all persons so objected to in lists according to the Forms (numbered 16, 17, and 18) in the said Schedule (B.), and shall sign the said lists, and cause copies thereof to be written or printed, and shall publish the said lists of persons objected to as aforesaid on or before the fourteenth day of *December* in the year one thousand eight hundred and fifty, and on or before the twenty-second day of *August* in each year after one thousand eight hundred and fifty-one, and shall keep copies of the said lists, and shall allow the same, and also the notices of objection which they shall have received, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except *Sunday*, during the first fourteen days after such lists shall have been so published, and shall deliver copies of each of such lists to any person requiring the same, on payment of a price for each copy after the rate contained in the Table (numbered 1.) in the Schedule (C.) to this Act annexed.

Town Clerk shall deliver copies of lists to the Clerk of the Peace.

XXXVIII. And be it enacted, That the said Town Clerk shall, on or before the seventeenth day of *December* in the year one thouand eight hundred and fifty, and on or before the twenty-fifth day of *Angust* in every year after one thousand eight hundred and fifty-one, deliver to the Clerk of the Peace of or acting in or for such city, town, or borough, copies of the said lists of voters, made out by him as aforesaid, with the marginal additions as aforesaid, and a copy of the said list of persons who shall have claimed as aforesaid, and a copy of the said list of persons objected to as aforesaid, respectively signed by

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him, together (in the year one thousand eight hundred and fifty) with the said list of voters registered under the said recited Act, and together (in every year after one thousand eight hundred and fifty-one) with the copy of the Register as aforesaid.

Mode of publication.

XXXIX. And be it enacted, That every notice, list, Register, or other document herein required to be published shall be so published by being fixed in some public and conspicuous situation, in the case of publication by the Clerk of the Peace, on the outer wall near the door of each police station, and on the usual places for posting notices or applications for grand jury presentments in the respective barony, and in the case of publication by a Town Clerk, on the outer door or outer wall near the door of the town hall, or if there be no town hall then in some public and conspicuous situation within the respective city, town, or borough theretofore used for posting public notices.

Term of publication.

XL. And be it enacted, That in all cases in which any notice, list, copy of Register, or other document shall, pursuant to the provisions aforesaid, be affixed on any such place as aforesaid, the same shall continue so fixed for a period including two consecutive *Sundays* at the least next after the day on or before which the same is hereinbefore required to be published; and in case the same shall be destroyed, mutilated, effaced, or removed before the expiration of such period, the party hereinbefore required to publish the same as aforesaid shall, as soon as conveniently may be, publish in like manner in its place another notice, list, copy of Register, or other document to the like purport and effect with the notice, list, copy of Register, paper, or other document so destroyed, mutilated, effaced, or removed.

XLI. And be it enacted, That every person who shall

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Penalty for hindering publication.

wilfully destroy, mutilate, efface, or remove any notice, list, copy of Register, or other document so affixed as aforesaid, during the period during which the same is hereinbefore required to remain so affixed, shall for every such offence forfeit any sum not exceeding forty shillings nor less than ten shillings to any person who will sue for the same, to be recovered in a summary manner before two Justices of the Peace.

Lists not to be invalidated by imperfect publication.

XLII. And be it enacted, That no list shall be invalidated by reason that it shall not have been affixed in every place and for the full time hereinbefore required for publication thereof, but that every such list which shall have been affixed in any place and for any part of the time hereinbefore mentioned in that behalf shall be revised and adjudicated upon as hereinafter directed: Provided nevertheless, that nothing herein contained shall be construed to exempt the Clerk of the Peace, Town Clerk, or other person charged with the duty of publishing such list as aforesaid from the penalties of his neglect or wilful default.

If no list made out, former list to be in force.

XLIII. And be it enacted, That in case no list of voters shall have been made out for any barony, city, town, or borough in any year, or in case such lists shall not have been affixed in any place hereinbefore mentioned in that behalf, the list of the registered voters for the county in which such barony is situate, or for the city, town, or borough, made out by the Clerk of the Peace on or before the first day of *February* in the year one thousand eight hundred and fifty, as required by the said first-recited Act, shall in the said year, so far as respects such barony, city, town, or borough, and in any year after one thousand eight hundred and fifty-one the Register of voters for that barony, city, town, or borough then in force, shall be taken to be the list of voters for that ba-

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rony, city, town, or borough for the year then next ensuing; and the provisions herein contained respecting any such list of voters shall be taken to apply to such list of registered voters or Register as aforesaid.

Abstracts of lists to be transmitted to Assistant Barristers empowered to revise them.

XLIV. And be it enacted, That the Clerk of the Peace of every such county shall in the year one thousand eight hundred and fifty, as soon as possible after the seventeenth day of *December*, and in every year after one thousand eight hundred and fifty-one as soon as possible after the twenty-fifth day of *August*, transmit to the Assistant Barrister of such county or any riding thereof, or to the Chairman of the Sessions of the Peace in the case of the county of *Dublin*, an abstract of the lists of claimants and of the lists of persons objected to by such Clerk of the Peace, and by the Clerk or Clerks of the Union or Unions, and by other peasons in each barony in and for the same county; and the Clerk of the Peace of or acting in or for every such city, town, or borough shall as soon as possible after the seventeenth day of *December* in the year one thousand eight hundred and fifty, and as soon as possible after the twenty-fifth day of *August* in every year after one thousand eight hundred and fifty-one, transmit an abstract of the said several lists of claimants, and the lists of persons objected to by the Town Clerk, and by the Clerk or Clerks of the Union or Unions, and by others in the same city, town, or borough, to the Assistant Barrister, Chairman, or his Deputy having jurisdiction under the said first-recited Act for the Registry of Voters for such city, town, or borough, in order that proper times and places for holding courts for the revision of such lists respectively may be appointed.

Remuneration to barristers.

XLV. And be it enacted, That every such Assistant Barrister or Chairman presiding at any such court of revision under this Act in the year one thousand eight hun-

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dred and fifty-one, whether the same be held during the general or quarter sessions or not, shall be paid at the rate of five guineas for every day that he shall be employed in such revision; and every such Barrister or Chairman, after the termination of his last session for such purpose, shall lay or cause to be laid before the Lord Lieutenant or other Chief Governor or Governors of *Ireland* a statement of the number of days during which he shall have been so employed, and such Lord Lieutenant or other Chief Governor or Governors shall, if he or they think fit, cause the said statement to be examined by some competent authority, and shall certify the same to the Commissioners of Her Majesty's Treasury, who shall thereupon direct payment of the sum due to such Barrister or Chairman out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland;* and the Deputy of the Chairman of the Sessions of the Peace of the county of *Dublin* having jurisdiction under the said first-recited Act for the registry of voters for the city of *Dublin* shall receive, in respect of the revision of voters for the said city under this Act, such remuneration from time to time and in such manner as by the said recited Act is provided for such Deputy in respect of the registration of voters for the said city under the said recited Act (*a*).

Assistant Barristers of counties to hold courts for purposes of revision at the several polling places for such counties, &c.

XLVI. And be it enacted, That the Assistant Barrister or the Chairman, as the case may be, of every county or riding, shall make a circuit, and hold open courts for such revision at each of the places which may be from time appointed as polling places for such county or riding and at any such other places within the said county or riding, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall appoint, at convenient times

(*a*) *Vide*, as regards 1868, the 31 & 32 Vict. c. 112, s. 23.

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between the first day of *January* inclusive and the fourteenth day of *February* inclusive in the year one thousand eight hundred and fifty-one, and between the eighth day of *September* inclusive and the twenty-fifth day of *October* inclusive in every succeeding year, and shall, ten days at the least before the holding of the first court of revision, give notice to the Clerk of the Peace of the several times and places at which the said courts will be holden, and of the several baronies the lists of and for which will be revised at each of the said courts; and the said Clerk of the Peace shall forthwith cause public notice thereof to be given by advertisement in one or more of the newspapers circulating within the said county, and shall cause a sufficient number of copies of the said notice to be written or printed and published and posted in each barony, and shall deliver or send copies thereof to the Clerk or Clerks of the Union or Unions in which the several baronies or parts thereof are situate, and require him or them to attend at the court appointed for the revision of the list of voters relating to the said barony or baronies respectively.

Assistant Barristers not acting in registration of voters for boroughs to hold courts of revision in such boroughs.

XLVII. And be it enacted, That such respective Assistant Barrister or Chairman, or his Deputy, as before the passing of this Act would have had jurisdiction under the said recited Act for the registry of voters for any such city, town, or borough, shall hold an open court for the revision of the lists of voters within such city, town, or borough, between the first day of *January* inclusive and the fourteenth day of *February* inclusive in the year one thousand eight hundred and fifty-one, and between the eighth day of *September* inclusive and the twenty-fifth day of *October* inclusive in every succeeding year, and shall, ten days at least before holding such court, give notice to the Clerk of the Peace acting for such city, town, or borough of the time and place for holding the same;

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and the Clerk of the Peace shall forthwith publish such notice in the manner hereinbefore directed, and also in the manner in which notices of the holding of sessions are usually published.

Officers who shall attend courts of revision in counties.

XLVIII. And be it enacted, That the Clerk of the Peace of every such county, or his Deputy, shall from day to day attend each and every court of revision which shall be held in such county under this Act, and at the opening of the first court of revision to be so holden as aforesaid in and for the same county in each year shall deliver or cause to be delivered to the Assistant Barrister holding such court all the lists of voters for the then current year, with the marginal addditions as aforesaid, and the lists of claimants, and of persons objected to, in the said year, and the original notices of claims and notices of objections given to him as aforesaid, and the return or returns of the Clerk or Clerks of the Unions for each barony respectively of the said county, and shall also in the year one thousand eight hundred and fifty-one attend with and produce all such original affidavits or affirmations as under the laws now in force in *Ireland* he is required to keep or attend with and produce at any registration sessions, and the list of voters registered under the said recited Act, and shall also in every succeeding year deliver to such Assistant Barrister one or more printed copies of the Register of voters then in force for the said county; and the Clerks of the several Unions wholly or in part in each county shall attend with and produce at the courts of revision holden in such county for the several districts wherein the respective Unions or any part thereof may be situate all books of rates made for the relief of the poor in such Unions, or any part or electoral division thereof respectively, within such county, between the ninth day of *November* one thousand eight hundred and forty-nine and the ninth day of

What documents shall be produced.

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November one thousand eight hundred and fifty (as regards the said courts held in the year one thousand eight hundred and fifty-one), and between the twentieth day of *July* in the then preceding year and the twentieth day of *July* in the then current year (as regards the said courts held in each year after one thousand eight hundred and fifty one), or (if there have been no such rate made in any electoral division) the then last rate as to the same; and the said Clerk of the Peace and Clerks of Unions shall answer upon oath all such questions as such Assistant Barrister may put to them, and produce all documents, papers, and writings in their possession, custody, or power touching any matter herein mentioned: provided always, that in case the attendance of any Clerk of a Union, or the production of any rate or rate-book of any Union, shall be required at different courts at or about the same time, it shall be lawful for the Clerk of such Union, by writing under his hand, to appoint a proper person to be his deputy for the purpose of attending at any such court, or producing such rate or rate-book, or a compared copy thereof or of part thereof, which deputy shall be subject to like provisions as such Clerk of the Union; and for the purposes of this Act a compared copy of any such rate or rate-book, or of any part thereof, shall be *primâ facie* evidence, but when any question shall arise at any court held under this Act in relation to any such compared copy it shall be lawful for the Assistant Barrister, if he shall think fit, to require the production at any such court, or at some adjournment thereof, of the original rate or rate-book.

Officers who shall attend revision courts in boroughs.

XLIX. And be it enacted, That the Clerk of the Peace of or acting in or for every such city, town, or borough, or his deputy, and the Town Clerk for every such city, town, or borough, and the Clerk of the respective Union, or his deputy, to be appointed as aforesaid, shall attend

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the Court of Revision to be holden for every such city, town, or borough; and such Clerk of the Peace shall in the year one thousand eight hundred and fifty-one attend with and produce all such original affidavits and affirmations as under the laws now in force in *Ireland* he is required to keep or attend with and produce at any Registration Sessions, and the list of voters registered under the said recited Act, and shall in every succeeding year deliver to the Assistant Barrister one or more printed copies of the Register then in force for the said city, town, or borough; and such Town Clerk shall, at the opening of the said Court, deliver to the Assistant Barrister the several lists so made by him, with the marginal additions as aforesaid, and also the additional notices of claim and objection received by him as aforesaid, and the Clerk of the Union's list as aforesaid; and the said Clerk of the Peace, and Town Clerk, and Clerk of the Union, or such deputy as aforesaid, respectively, shall answer upon oath all such questions as the Assistant Barrister may put to them, or any of them, and produce all documents, papers, and writings in their possession, custody, or power touching any matter necessary for revising the list of voters.

What documents shall be produced.

Collectors of rates shall attend revision courts, if required.

L. And be it enacted, That at each Court of Revision holden in or for any such county, city, town, or borough every Assistant Barrister shall have power to require any collector of poor's rates, or other officer or person having the custody of any such rate, or any such collector for the past year, to attend before him at any court to be by him holden in pursuance of this Act, and they shall attend accordingly, and answer upon oath all such questions as may be put to them.

Voters who reside out of polling district may make claim

LI. And be it enacted, That any person whose name shall appear in the list of voters of any barony in and for any county, and whose place of abode, as stated in such list, shall

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not be within the polling district at which the said barony shall be allotted to poll, but within the same county, shall be at liberty to make his claim before the Assistant Barrister to vote at the polling place of the district wherein his said place of abode may be situate; and any person whose name shall appear in any list as aforesaid, and whose place of abode, as stated in such list, shall not be within the same county, shall be at liberty in like manner to make his claim to vote at the polling place of any district within the same county; and every such person shall make his claim in writing under his hand; and such claim shall be delivered to and verified before the Assistant Barrister holding his court for the revision of the list of voters in which the name of such person shall appear as aforesaid, and it shall then be lawful for the said barrister to insert in the said list, against the name of such person so claiming as aforesaid, the name of the polling place at which such person shall be registered to vote; and such person so registered shall be admitted to vote at any contested election for the said county at the said last-mentioned polling place, and not elsewhere, anything in this Act to the contrary notwithstanding.

to vote at the polling place of the district where they reside.

LII. And be it enacted, That if any person who shall have given to the Clerk of the Peace due notice of his claim to have his name inserted in the list of persons entitled to vote in the election of a knight or knights of the shire shall have been omitted by such Clerk of the Peace from such list it shall be lawful for the Assistant Barrister, upon the revision of such list, to insert therein the name of the person so omitted, in case it shall be proved to the satisfaction of such Assistant Barrister that such person gave due notice of such his claim to the said Clerk of the Peace, and that he was entitled on the ninth day of *November* then next preceding (as regards the Register for

Claimants, if omitted by Clerk of Peace from list of claimants, may, on proof of notice and qualification, be placed on list of voters for counties.

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the year one thousand eight hundred and fifty-one), or on the twentieth day of *July* then next preceding (as regards each succeeding year), to be inserted in the said list of voters.

Like provision as to boroughs.

LIII. And be it enacted, That the Assistant Barrister holding any court of revision under this act in any city, town, or borough, shall insert in any list of voters for such city, town, or borough, the name of every person omitted who shall be proved to the satisfaction of such Assistant Barrister to have given due notice of his claim to be inserted in such list, and to have been entitled on the ninth day of *November* then next preceding (as regards the Register for the year one thousand eight hundred and fifty-one), or on the twentieth day of *July* then next preceding (as regards each succeeding year), to have his name inserted therein in right of the qualification described in such notice of claim.

Such persons may be objected to.

LIV. And be it enacted, That it shall be lawful for any person whose name shall be on any list of voters for any county, city, town, or borough, to oppose the claim of any person so omitted as aforesaid to have his name inserted in any list of voters for the same county, city, town, or borough; and such person intending to oppose any such claim shall, in the court to be holden as aforesaid for the revision of such list, and before the hearing of the said claim, give notice in writing to the Assistant Barrister of his intention to oppose the said claim, and shall thereupon be admitted to oppose the same, by evidence or otherwise, without any previous or other notice, and shall have the same rights, powers, and liabilities as to costs, appeal, and other matters relating to the hearing and determination of the said claim, as any person who shall have duly objected to the name of any other being retained on any list of voters, and who shall appear and prove the requisite notices as hereinafter mentioned.

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Duties of barristers in revising lists.

LV. And be it enacted, That the Assistant Barrister presiding at any such court of revision shall correct any mistake which shall be proved to him to have been made in any list, and shall expunge the name of every person whose qualification as stated in any list shall be insufficient in law to entitle such person to vote, and also the name of every person who shall be proved to him to be dead, and provide that the name of the same person shall not appear twice on the list of voters or Register of any county, city, town, or borough; and wherever the Christian name, or the place of abode, or the nature of the qualification, or the local or other description of the property of any person who shall be included in any such list, or the name of the occupying tenant thereof, shall be wholly omitted in any case where the same is by this Act directed to be specified therein, or if any person whose name is included in any such list, or his place of abode, or the nature or description of his qualification, shall, in the judgment of the Assistant Barrister, be insufficiently described for the purpose of being identified, or if the date of the registry of any person registered under the said recited Act shall be omitted in any case where the same is by this Act directed to be specified, such Assistant Barrister shall expunge the name of every such person from such list, unless the matter or matters so omitted or insufficiently described be supplied to the satisfaction of such Assistant Barrister before he shall have completed the revision of such list, in which case he shall then and there insert the same in such list: Provided always, that, whether any person shall be objected to or not, no evidence shall be given of any other qualification than that which is described in the list of voters, or claim, as the case may be, nor shall the Assistant Barrister be at liberty to change the description of the qualification as it appears in the

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list, except for the purpose of more clearly and accurately defining the same; and where the name of any person inserted in any list of voters shall have been objected to by the Clerk of the Peace, Clerk of the Union, or Town Clerk, or by any other person, and such other person so objecting shall appear, by himself or by some one in his behalf, in support of such objection, and shall prove that he gave the notice or notices respectively required by this Act to be given by him, every such Assistant Barrister shall then require it to be proved that the person so objected to was entitled, on the ninth day of *November* then preceding (as regards the Register for the year one thousand eight hundred and fifty-one), or on the twentieth day of *July* then next preceding (as regards each succeeding year), to have his name inserted in the list of voters in respect of the qualification described in such list; and in case the same shall not be proved to the satisfaction of such Assistant Barrister, or in case it shall be proved that such person was then incapacitated by any law or statute from voting in the election of members to serve in Parliament, such Assistant Barrister shall expunge the name of every such person from the same list:

Persons how registered (save as excepted) shall be *primâ facie* entitled to be registered under this Act.

Provided also, that every person registered under the provisions of the hereinbefore recited Act to amend the Representation of the People of *Ireland* within eight years previous to the sixteenth day of *March* one thousand eight hundred and fifty-one (as regards the Register for the year one thousand eight hundred and fifty-one), or to the first day of *December* in any subsequent current year, shall be *primâ facie* entitled to have his name inserted in such list (except persons registered under the said Act in respect of any qualification requiring an elector for a county to be or to have been in the actual occupation of the premises, and except persons registered under the said

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Act for any city, town, or borough in respect of the occupation of premises of a clear yearly value of not less than ten pounds); and that when the qualification of any such person (except as aforesaid) shall be in respect of any property in lands, tenements, or hereditaments, the sufficiency in value of such property shall not be questioned during the said period, unless it be first shown that he hath ceased to hold or occupy, as the case may require, some part of the property in right whereof he was so registered; nor shall the sufficiency of his estate therein be questioned during the said period, unless it be first shown that the nature of his estate therein has altered since he was so registered; and that (except as aforesaid) a certificate, or, in default of its production, an affidavit of registry granted or made under the said Act, shall, for the purposes of the Register to be formed in the year one thousand eight hundred and fifty-one, be evidence of such former registration and of the date thereof; and that (except as aforesaid) the appearance of the name of any person, with the date of his registry annexed thereto, in the copy of the Register in force in any succeeding year, but within such limit of eight years as aforesaid, shall be evidence of the registration of such person under the said recited Act, and of the date of such former registration, subject nevertheless to the provisions hereinbefore contained as to the payment of poor rate, if any, by persons claiming a qualification in respect of the inhabitancy of houses, and to the provisions of the said recited Act and this Act as to residence by freemen and forty shilling freeholders: Provided also, that when and as the said period of eight years shall have elapsed in each case, or when the same will elapse previous to the aforesaid sixteenth day of *March* one thousand eight hundred and fifty-one, or previous to the first day of *December* then

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next in any year, the Assistant Barrister shall expunge the date of registry annexed in the list to the name of the person whose registry under the provisions of the said Act shall have so expired or will so expire: Provided also, that the list or return transmitted by the Clerk of the respective Union as aforesaid to the respective Clerk of the Peace, or to the Town Clerk, shall respectively be *primâ facie* evidence that every person included therein was a rated occupier of such lands, tenements, or hereditaments, and of such net annual value as therein mentioned, on the ninth day of *November* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or on the twentieth day of *July* in the then current year (as regards each succeeding year), and that all poor rates payable by such person to entitle him to be placed on such list have been paid: Provided also, that the appearance of the name of any elector (other than those entitled to register for any county, city, town, or borough in respect of occupation as rated occupiers of lands, tenements, or hereditaments of the value respectively of twelve pounds or upwards, or of eight pounds or upwards), on the list of registered voters or the copy of the Register in each year shall be deemed to be *primâ facie* evidence of his right to have his name inserted in the Register for the year then next ensuing: Provided also, that where any person whose name appears on any list of voters for any county, city, town, or borough shall be objected to on the ground of having changed his place of abode without having sent in a fresh notice of claim, it shall be lawful for the Assistant Barrister on revising the list to retain the name of such person on the list of voters, if such person, or some one in his behalf, shall prove that he possessed, on the said ninth day of *November* (as regards the Register for the

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year one thousand eight hundred and fifty-one), or on the twentieth day of *July* (as regards each succeeding year), the same qualification in respect of which his name has been inserted in such list, and shall also supply his true place of abode, which such Assistant Barrister shall insert in such list.

Powers of barristers to adjourn courts, administer oaths, &c.

LVI. And be it enacted, That every Assistant Barrister holding any court under this Act shall have power to adjourn (*a*) the same from time to time, and from any one polling place to any other polling place, or other place appointed as aforesaid within the same county, or within the same city, town, or borough, but so that no such adjourned court shall be holden after the fourteenth day of *February*, in the year one thousand eight hundred and fifty-one (as regards the Register for that year), or after the twenty-fifth day of *October* in any succeeding year; and at every court to be holden as aforesaid by any Assistant Barrister the said Barrister shall have power to summon as witnesses any persons whose evidence may appear to be material, and to administer an oath to all persons examined before him; and all parties, whether claiming or objected to, and all persons whatsoever, may be examined upon oath touching the matters in question; and every person taking any oath or affirmation under this Act who shall wilfully swear or affirm falsely shall be deemed guilty of perjury; and at the holding of such respective courts no party or other person shall appear or be attended or heard by counsel; and every such barrister shall, upon the hearing in open court, finally determine upon the validity of such claims and objections, and shall for that purpose have the same powers and proceed in the same manner (except where otherwise directed by this Act) as any Assistant Barrister under the provisions of

(*a*) *Vide* 31 & 32 Vict. c. 112, s. 39.

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the said recited Act to amend the representation of the people of *Ireland* previous to the commencement of this Act; provided nevertheless, that it shall not be necessary for any claimant to verify his title by affidavit, as by the said Act required, after the adjudication upon his claim shall have been made; and such Assistant Barrister shall, in open court, write his initials against the names and dates of registry respectively expunged or inserted, and against any part of the said lists in which any mistake shall have been corrected or any omission supplied or any insertion made by him, and shall sign his name to every page of the several lists so settled.

Court of Revision under this Act a Court of Record. Power of Assistant Barrister to fine officers, &c.

LVII. And be it enacted, That every Court of Revision for the purpose of making out or revising the Register of voters under this Act shall be deemed to be a Court of Record, and that it shall be lawful for every Assistant Barrister before whom such court shall be held, from time to time as there shall be occasion, to fine the Clerk of the Peace or his Deputy, or the Under Sheriff of the county, county of the city, or county of the town, for which such court shall be held, who shall be guilty of any breach of duty in execution of this Act, any sum not exceeding five pounds; and at his discretion to fine in any sum not exceeding two pounds, or to commit to prison for any time not exceeding one fortnight, any person who shall disturb the said court, or shall be guilty of any other contempt of the said court.

Appeal from barrister's decision on points of law.

And be it enacted, That it shall be lawful for any person who under the provisions hereinbefore contained shall have made any claim to have his name inserted in any list, or made any objection to any other person as not entitled to have his name inserted in any list, or whose name shall have been expunged from any list, and who in any such case shall be aggrieved by or dissatisfied with any decision of any Assistant Barrister on any point of law material to

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the result of the case, either himself or by some person on his behalf, to give to the Assistant Barrister in court before the rising of the said Court on the same day on which such decision shall have been pronounced, a notice in writing that he is desirous to appeal, and in such notice shall shortly state the decision against which he desires to appeal; and the said Assistant Barrister thereupon, if he thinks it reasonable and proper that such appeal should be entertained, shall state in writing the facts which, according to his judgment, shall have been established by the evidence in the case, and which shall be material to the matter in question, and shall also state in writing his decision upon the whole case, and also his decision upon the point of law in question appealed against: and such statement shall be made as nearly as conveniently may be in like manner as is now usual in orders of refusal to register any claimant under the hereinbefore recited Act to amend the representation of the people of *Ireland*, on any ground other than insufficiency of value; and the said Assistant Barrister shall read the said statement to the appellant in open court, and shall then and there sign the same; and the said appellant, or some one on his behalf, shall at the end of the said statement make a declaration in writing under his hand to the following effect (that is to say), "I appeal from this decision;" and the said Assistant Barrister shall then indorse upon every such statement the name of the county and barony, or city, town, or borough, to which the same shall relate, and also the Christian name and surname and place of abode of the appellant and of the respondent in the said appeal, and shall sign and date such indorsement; and the said Assistant Barrister shall deliver such statement, with such indorsement thereon, to the said appellant, to be by him transmitted to the Court of Exchequer Chamber

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at *Dublin* in the manner hereinafter mentioned; and the said Assistant Barrister shall also deliver a copy of such statement, with the said indorsement thereon, to the respondent in such appeal, who shall require the same.

Who shall be respondents in appeal.

LIX. And be it enacted, That in the matter of every such appeal the party in whose favour the decision appealed against shall have been given shall be the respondent; but if there be no such party, or if such party, or some one on his behalf, shall in open court decline, and state in writing that he declines, to support the decision appealed against as respondent, then and in every such case it shall be lawful for the said Assistant Barrister to name any person who may be interested in the matter of the said appeal, and who may consent, or the Clerk of the Peace of any county, or the Town Clerk of any city, town, or borough, to be, and such person so consenting, or such Clerk of the Peace or Town Clerk respectively so named, shall be deemed to be the respondent in such appeal.

Power to consolidate appeals.

LX. And be it enacted, That if it shall appear to any Assistant Barrister that the validity of any number of such claims or objections determined by him at any court as aforesaid depends, and has been decided by him, upon the same point or points of law, and the parties, or any of them, aggrieved by or dissatisfied with his decision thereon, shall have given notice of an intention to appeal therefrom, it shall in such case be lawful for the said Barrister to declare that the appeals against such decision ought to be consolidated, and the said Barrister shall in such case state in writing the case, and his decision thereon, in manner hereinbefore mentioned, and that several appeals depend upon the same decision, and ought to be consolidated, and shall read such statement, and sign the same, as hereinbefore mentioned; and thereupon it shall be lawful for the said Barrister to name any per-

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son interested and consenting, for and on behalf of himself and all other persons in like manner interested in such appeals, to be the appellant or respondent respectively in such consolidated appeals, and to prosecute or answer the said appeal in like manner as any appellant or respondent might in his own case, under the provisions of this Act; and the person so named appellant in such consolidated appeal, or some one on his behalf, shall at the end of the said statement make and sign a declaration in the form or to the effect following; (that is to say,)

"I, for myself and on behalf of all the other persons who are interested as appellants in this matter, and whose names are hereunder written, do appeal against this decision, and agree to prosecute this appeal."

And the person so named respondent in such consolidated appeal, or some one on his behalf, shall in like manner make and sign a declaration in writing in the form or to the effect followiug; (that is to say,)

"I, for myself and on behalf of all the other persons interested as respondents in this matter, and whose names are hereunder written, do agree to appear and answer this appeal."

And the name, and, where necessary, the particulars of the qualification of every party intended to be joined in such consolidated appeal, shall be written under the aforesaid declaration of the appellant or respondent respectively to which they may respectively refer: Provided always, that it shall be lawful for the said Barrister, if necessary, in any case, to name the Clerk of the Peace of any county, or the Town Clerk of any city, town, or borough, to be, and he so named shall be, the respondent in such consolidated appeal, without any such declaration being made or signed by him as hereinbefore mentioned.

LXI. And be it enacted, That in and with regard to

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Proceedings in consolidated appeals.

every such consolidated appeal the like proceeding shall be had and taken, and the like rules and regulations shall apply, as in the case of any other appeal under this Act; and that every order, judgment, or decision of the said Court of Exchequer Chamber shall be equally valid and effectual for all the purposes of this Act, and binding and conclusive upon all the parties named in or referred to as parties to such consolidated appeal as aforesaid; and that if in any case all or any of the parties to such consolidated appeal shall make or enter into any agreement as to the mode of contributing among themselves to the costs and expenses of such appeal, the said agreement may, upon the application of any party or parties thereto, be made a rule of any of Her Majesty's Superior Courts of Law at *Dublin*, if such Court shall think fit: Provided always, that if any such consolidated appeal shall not be duly prosecuted or answered it shall be lawful for the Court of Exchequer Chamber, or any of such Superior Courts of Law, to give to any party or parties interested in such appeal, upon his or their application, the conduct and direction of the said appeal, or of the answer thereto respectively, as the case may require, instead of or in addition to any person named as aforesaid as appellant or respondent, and in such manner and upon such terms as such Court may think fit and order, or to make such other order in the case as may seem meet: Provided also, that if after the said Assistant Barrister shall as aforesaid have declared that the appeal in any case ought to be with others consolidated, any party interested in such appeal shall object and refuse to be a party to or to be bound by any such consolidated appeal, then and in such case the appeal in which such person is interested may proceed separately, but such person so refusing or objecting shall be liable to pay costs to the other party, but shall not be entitled to

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receive any costs of or in such appeal, unless the said Court of Exchequer Chamber otherwise order.

Barrister may award costs to or against claimants or objectors.

LXII. And be it enacted, That if in any case it shall appear to any Assistant Barrister holding any court as aforesaid that any person shall under this Act have made or attempted to sustain any groundless or frivolous and vexatious claim or objection to title to have any name inserted or retained in any list of voters, it shall be lawful for the said Barrister, in his discretion, to make such order as he shall think fit for the payment by such person of the costs, or of any part of the costs, of any person or persons in resisting such claim or objection or title; and in every such case the said Barrister shall make an order in writing, specifying the sum which he shall order to be paid for such costs, and by and to whom, and when and where, the same sum shall be paid, and shall date and sign the said order, and deliver it to the person or persons to whom the said sum shall therein be ordered to be paid: Provided always, that the said sum so ordered to be paid by way of costs shall not in any case exceed the sum of twenty shillings: Provided also, that such order for the payment of costs as aforesaid may be made in any case notwithstanding any party shall have given notice of his intention to appeal against any decision of the Assistant Barrister in the same case; but in case of such appeal the said order for the payment of costs shall be suspended, and shall abide the event of such appeal, unless the Court of Appeal shall otherwise direct; but no appeal shall be allowed or entertained against or only in respect of any such order for the payment of costs: Provided also, that whenever any Assistant Barrister shall have made any such order for the payment of any sum of money for costs by any person who shall have made any objection as aforesaid, it shall not be lawful for the said Barrister to hear or admit proof

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of any other objection or notice of objection made or signed by the same person, until the sum of money so ordered to be paid by him for costs be paid to the person entitled to receive the same, or deposited in the hands of the said Barrister in court, for the use of the person so entitled.

Revised list of voters to be transmitted to the Clerk of Peace in counties, who shall cause them to be printed in a book, which shall be delivered to the Sheriff.

LXIII. (*a*) And be it enacted, That the said lists of voters for each county, signed as aforesaid, shall be forthwith transmitted by the Assistant Barrister to the Clerk of the Peace of the same county; and the Clerk of the Peace shall keep the said lists among the records of the sessions, and shall forthwith cause the said lists to be printed in a book or books, arranged with the names in each barony in strict alphabetical order, according to the first, second, and other letters of the surnames, and with every polling district in alphabetical order, and with every barony within such polling district likewise in the same order, and shall, after the last list for each polling district, insert a list in like alphabetical order of all persons whose names shall not appear in any of the said lists for such polling district, but who shall in manner hereinbefore mentioned have been registered by the Assistant Barrister to vote at the polling place of such last-mentioned district, and shall in the said book prefix to every name its proper number, beginning the numbers from the first name in each barony, and continuing them in a regular series down to the last name in such barony; provided always, that a number as aforesaid shall be prefixed to the name of every person in every such list inserted after the last list for any polling district as aforesaid; and no number, but an asterisk only, shall be prefixed to the name of the same person in the list of the barony in which the name originally appeared;

(*a*) *Vide*, as regards the Register for 1868, the 31 & 32 Vict. c. 112, s. 24.

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and every such book shall be printed and arranged in such manner and form that the list of voters of and for each and every separate barony contained therein may be conveniently and completely cut out or detached from all the other lists of voters contained in the same book, so that all the lists for every or any polling place, or the list of every or any single barony, may be ready for the purposes of this Act, or for sale; and the said Clerk of the Peace shall, as regards the first Register formed under this Act, sign and deliver the said book or books on or before the fifteenth day of *March* in the year one thousand eight hundred and fifty-one, and, as regards every subsequent Register formed under this Act, shall sign and deliver the said book or books on or before the last day of *November* in the then current year, to the Sheriff of the county, to be by him and his successors in the office of Sheriff safely kept for the purposes hereinafter mentioned.

Revised lists for boroughs shall be delivered to the Clerk of the Peace acting for such borough, who shall cause them to be printed in a book, and deliver the same to the Returning Officer.

LXIV. And be it enacted, That the list of voters for each city, town, or borough, signed as aforesaid, shall be forthwith delivered by the Assistant Barrister to the Clerk of the Peace of or acting in or for the same city, town, or borough, and the said Clerk of the Peace shall forthwith cause the said lists to be printed in a book or books; and in the said book or books the said lists shall be arranged and every name numbered according to the directions aforesaid with regard to the county lists, so far as the same are applicable, save that in the case of any of the cities, towns, and boroughs mentioned in the Schedule (B.) annexed to an Act of the present Session of Parliament, intituled, *An Act to shorten the Duration of Elections in* Ireland, *and for establishing additional Places for taking the Poll thereat*, and the said lists shall be arranged and divided according to the wards and otherwise, and the names numbered in such manner as is or shall be directed

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by such last-mentioned Act; and the said Clerk of the Peace shall, as regards the first Register formed under this Act, sign and deliver the said book on or before the fifteenth day of *March*, in the year one thousand eight hundred and fifty-one, and, as regards every subsequent Register, shall sign and deliver the said book or books on or before the last day of *November* in the current year, to the Returning Officer of the same city, town, or borough, to be by him and his successors, as Returning Officer, safely kept for the purposes hereinafter mentioned.

Books so prepared shall constitute the Register for one year.

LXV. (*a*) And be it enacted, That the said printed book or books, so signed as aforesaid by the Clerk of the Peace and given into the custody of the Sheriff of any county, or the Returning Officer of any city, town, or borough as the case may be, shall, as regards the first Register to be formed under this Act, be the Register of persons entitled to vote at any election of a member or members to serve in Parliament which shall take place in and for the same county, city, town or borough respectively between the fifteenth day of *March* in the year one thousand eight hundred and fifty-one and the first day of *December* in the year one thousand eight hundred and fifty-two, and (as regards every subsequent Register to be formed under this Act) shall be the Register of persons entitled to vote at any such election which shall take place in and for the same county, city, town, or borough respectively between the last day of *November* in the year wherein such Register shall have been made and the first day of *December* in the succeeding year; and the Clerk of the Peace of every county shall keep printed copies of the said Register for such county, and shall deliver such copies of such Register, or any part thereof, to any person applying for the same, upon pay-

Printed copies of Register to be kept for sale.

(*a*) *Vide* 31 & 32 Vict., c. 112, s. 32.

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ment of a price after the rate contained in the table (numbered 2.) in the Schedule (C.) to this Act annexed; and the Clerk of the Peace of or acting in or for every city, town, or borough respectively shall keep printed copies of the said Register for such city, town, or borough, and shall from time to time supply a sufficient number of copies of such Register to the Town Clerk of such city, town, or borough, who shall deliver such copies of such Register, or any part thereof, to any person applying for the same, upon payment of a price after the rate contained in the Table (numbered 2.) in the said Schedule (C.), and account for and pay over to the said Clerk of the Peace all moneys by him received for or on account of the sale of any copies of the Register as aforesaid: Provided always, that no person shall be entitled to a copy of any part of any Register relating to any barony without taking or paying for the whole that relates to such barony.

Officers may be fined by Barrister for non-attendance.

LXVI. And be it enacted, That any Collector of poor rates, or Clerk of a Union, or other officer or person having the custody of any such rate or rate-book as hereinbefore mentioned for the then current or any past year who shall wilfully refuse or neglect, when duly required by summons under the hand of any Assistant Barrister, to attend before such Barrister at any court to be holden as aforesaid, according to the exigency of such summons, shall, upon proof before them of the service of such summons, be liable to pay by way of fine, for every such offence, a sum of money not exceeding five pounds nor less than twenty shillings, to be imposed by and at the discretion of the said Barrister holding any such court as aforesaid.

Clerks of Unions, Clerks of

LXVII. And be it enacted, That any Clerk of any Union who shall wilfully refuse or neglect to make out or

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Peace, and Town Clerks may be fined for neglect of duty.

verify as hereby required, or to transmit, any lists, copy of the Register, or return which he is by this Act required to make out, verify, and transmit, or who shall wilfully or without reasonable cause omit the name of any person entitled to be inserted in such list, copy of the Register, or return, or who shall wilfully or without reasonable cause insert in such list, copy of the Register, or return, the name of any person not entitled to be inserted in such list, copy of the Register, or return, or who shall wilfully refuse or neglect, by himself or his deputy, to attend with and produce, at any court for revising the list of voters which he is hereby required to attend, the rate or rate-books or compared copies which he is hereby required to produce thereat, or any Clerk of the Peace of a county, or any Town Clerk of any city, town, or borough, or other officer required by this Act to act in default of there being any Town Clerk, who shall wilfully refuse or neglect to make out any list required to be made out by him under the provisions of this Act, or who in making out the lists of voters shall wilfully and without reasonable cause omit the name of any person duly qualified or entitled to be inserted in any such list, or who shall wilfully and without reasonable cause insert in any such list the name of any person not duly qualified or entitled to be inserted therein, or any Clerk of the Peace or Town Clerk or other such officer as aforesaid who shall wilfully refuse or neglect to publish any notice or list or copy of the list of the voters, or of the part of the Register of voters relating to his county, or to his city, town, or borough, at the time and in the manner required by this Act, or who shall wilfully refuse or neglect to attend the court for revising any list of voters of his county, or of his city, town, or borough, or to attend any Assistant Barrister, when required by any summons aforesaid, or any Town Clerk who

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shall wilfully refuse or neglect to deliver to the Clerk of the Peace the copy of the lists of claimants, or of persons objected to, or the copies of the list of voters or Register, as required by this Act, or any Clerk of the Peace who shall wilfully refuse or neglect to deliver to the Barrister holding any such court the several lists to be delivered by him as aforesaid, or any Clerk of the Peace or Town Clerk or Clerk of a Union who shall be wilfully guilty of any other breach of duty under or in the execution of this Act, shall for every such offence be liable to pay by way of fine a sum of money not exceeding five pounds nor less than twenty shillings, to be imposed by and at the discretion of the Assistant Barrister holding any court for the revision of any list of the barony or division of a barony, or the city, town, or borough, for which such officer is required to act as aforesaid: Provided always, that nothing herein contained as to any fine as aforesaid shall affect or abridge any right of action against any Clerk of the Peace, Clerk of a Union, Town Clerk, or other person liable to any fine as aforesaid, or any liability, civil or criminal, which such Clerk of the Peace, Clerk of a Union, Town Clerk, or other person may incur under or by virtue of this Act.

Fines, to whom payable.

LXVIII. And be it enacted, That any such Assistant Barrister, when and so often as he shall impose any such fine as aforesaid, shall at the same time in open court, by an order in writing under his hand stating the sum payable for such fine, direct by and to whom and when the same shall be paid, and the person to whom the said sum shall be so ordered to be paid shall receive the same; and in every case where the offence for which such fine shall have been so imposed shall relate to the formation of the Register of voters for any county, he shall pay over the sum so received by him to the Clerk of the Peace of the

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same county; and in every case where such offence shall relate to the formation of the Register of voters for any city, town, or borough, he shall pay over the sum so received by him to the Clerk of the Peace acting in or for the same city, town, or borough.

Application of monies arising from sale of Register and Forms.

LXIX. And be it enacted, That the Clerk of the Peace of every such county, and the Clerk of the Peace of or acting in or for every such city, town, or borough respectively, shall keep an account of all monies to be received by him or them for or on account of the sale of any copies of the Register as aforesaid, or for or by way of fine imposed as aforesaid; and the Clerk of the Peace of every such county, county of a city, or county of a town shall pay over or account for all such monies received by him to the treasurer of the same county, county of a city, or county of a town, to be applied in aid of any grand jury presentment made under the authority of this Act; and the Clerk of the Peace of or acting in or for every such borough situate in a county at large shall pay over or account for all such monies so received by him to the treasurer of such county, to be applied as aforesaid, and, in the case of a borough situate in two or more counties, to and among the treasurers of such counties, to be applied by them in aid of any grand jury presentments to be made on such counties respectively under this Act; and the share of each such county shall be calculated as nearly as may be according to the same relative proportion as the number of persons in each county placed on the Register for such borough shall bear to the total number of persons upon the same Register.

Expenses of the Clerks of Peace, how to be defrayed in counties and boroughs wholly situate in one

LXX. And be it enacted, That an account of all expenses incurred by any Clerk of the Peace, of or acting for any county, county of a city, or county of a town, or by any Clerk of the Peace of or acting in or for any borough situate in a county at large, in carrying into effect

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the provisions of this Act, including the expenses of providing and printing the copies of the Register and the Lists and Forms required under this Act, shall be laid before the next presentment sessions of the county at large or county of a city or county of a town after such expenses shall have been incurred (save in the case of the city of *Dublin*, where it shall be laid before the council of the said borough); and it shall be lawful for the grand jury of such county, county of a city, or county of a town at the next assizes or presenting term, and (in the case of the city of *Dublin*) for the council of the borough of *Dublin*, and they respectively are hereby required to present, to be levied off such county, county of a city, or county of a town, such expenses, or so much thereof as such presentment sessions, or grand jury, or council, as the case may be, shall allow for the Clerk of the Peace, to be paid to him, and so much of the said expenses of providing and printing such copies of the Register and Lists and Forms as aforesaid, to be paid to the person or persons who shall have contracted for supplying and printing such copies of the Register and Lists and Forms as aforesaid.

county at-large.

LXXI. And be it enacted, That an account of all the expenses incurred by any Clerk of the Peace acting in or for any borough situate in two or more counties, in carrying into effect the provisions of this Act, including the expenses of providing and printing such copies of the Register and such Lists and Forms as aforesaid in respect of such borough, shall, as soon as may be after the expenses have been so incurred, be laid before the Town Council of such borough, or if there be no Town Council, before the Commissioners elected in such borough under an Act passed in the ninth year of King *George* the Fourth, intituled, *An Act to make provision for the lighting, cleansing, and watching of cities, towns corporate, and market*

Such expenses, how to be apportioned and defrayed in boroughs situate in two or more counties. 8 G. IV. c. 82.

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towns in Ireland, *in certain cases*, or before the municipal Commissioners of such borough, or if there be no such council or Commissioners in any borough, then before the Justices of the Peace at the quarter sessions to be holden in and for the county to which the Clerk of the Peace acting in or for such borough may belong; and the said Council or Commissioners or the said Justices respectively shall when they allow the said accounts make and give to the said Clerk of the Peace a certificate of the total sum allowed by such Council, Commissioners, or Justices in respect of all the said expenses, and also a certificate of the sum to be paid by and as the contribution of each of the said counties towards defraying the same; and the sum to be contributed by every such county shall be calculated, as nearly as may be, according to the same relative proportion as the number of persons in each county placed on the Register for such borough shall bear to the total number of persons upon the same Register; and thereupon it shall be lawful for the grand jury of every such county and they are hereby required, upon the production of such certificate, and after a previous application to the presentment sessions of the county at large, at the next or any succeeding assizes for such county to present to be levied off such county the sum in such certificate mentioned to be paid by and as the contribution of such county to the said expenses.

Expenses of Town Clerks to be settled by Barrister, and defrayed by Grand Jury presentment.

LXXII. And be it enacted, That an account of all expenses incurred by the Town Clerk of or acting in or for any city, town, or borough, in carrying into effect the provisions of this Act, shall be laid before the Assistant Barrister at the court at which the list of voters for such city, town, or borough shall be revised; and the said Barrister shall sign and give to such Town Clerk a certificate of the sum which he shall allow to be due to him

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in respect of such expenses, and also of such sum as he shall deem it reasonable to allow to him for his trouble in carrying into effect the provisions of this Act, and in case of any borough situate in two or more counties shall also give to the said Town Clerk acting in for such borough a certificate of the sum to be paid by and as the contribution of each of the said counties towards defraying the sums so allowed; and the sum to be contributed by every such county shall be calculated, as nearly as may be, according to the same relative proportion as the number of persons in each county placed on the Register of such borough shall bear to the total number of persons upon the same Register; and such account and certificate shall be laid before the presentment sessions of the county, county of a city, county of the town, or of the county in which any borough in a county at large is situate, next after such expenses shall have been incurred (save in the case of the city of *Dublin*, where they shall be laid before the council of the said borough); and thereupon it shall be lawful for the grand jury of any such county, county of a city, or county of a town, at the next assizes or presenting term, and (in the case of the city of *Dublin*) for the council of the borough of *Dublin*, and they are hereby respectively required, to present, to be raised off such county, county of a city, or county of a town, the total sum in such certificate mentioned, or the sum in such certificate mentioned as the contribution of any such county towards the said total sum, as the case may be, or so much thereof as such presentment sessions or grand jury or council, as the case may be, shall allow, to be paid to the said Town Clerk.

Guardians of Unions to allow annual remuneration to Clerks

LXXIII. And be it enacted, That the Guardians of the Poor of each Union shall by an order make such annual allowance out of the rates to the Clerks of the Union as a

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of Unions for duties under this Act.

compensation for the duty hereby imposed upon them as the said Guardians shall think proper; but no such order shall be acted on, or any payment made thereunder, until the same shall be approved of by the Poor Law Commissioners, and the payment sanctioned by them.

Appeals to be heard by Court of Exchequer Chamber, consisting of three or more Judges.

LXXIV. And be it enacted, That all appeals or matters of appeal from or in respect of any decision of any Assistant Barrister entertained in a manner hereinbefore mentioned shall be prosecuted, heard, and determined in and by the Court of Exchequer Chamber at *Dublin* in such manner and form and subject to such rules and regulations as the said Court shall from time to time by any rule or order made for regulating the practice and proceedings in such appeals order and direct: Provided always, that at any sitting of the said Court of Exchequer Chamber, the Chief Justices, Chief Baron, and other Justices and Barons of Her Majesty's Superior Courts of Common Law at *Dublin*, or any three or more of them, shall for the purposes of this Act have all such jurisdiction, power, and authority as by this Act given to the said Court of Exchequer Chamber, anything in an Act passed in the Parliament of *Ireland* in the fortieth year of the reign of King *George* the Third, intituled, *An Act for the more speedy Correction of erroneous Judgments given in the Courts of Law in the Kingdom*, or in any other Act or Acts contained, to the contrary notwithstanding.

Notice of prosecution of appeal to be given.

LXXV. And be it enacted, That every appellant who shall intend to prosecute his appeal shall, within the first four days in the *Easter* term in the year one thousand eight hundred and fifty-one (as regards the Register for that year), and within the first four days in the *Michaelmas* Term next after the decision to which such appeal shall relate (as regards any subsequent year), transmit to the Clerk of the Errors in the said Court the statement

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in writing so signed by the said Assistant Barrister as aforesaid, and shall also therewith give or send a notice, signed by him, stating therein his intention to prosecute the said appeal; and the said appellant shall also give or send a notice, signed by him, to the respondent in the said appeal, stating his said intention duly to prosecute such appeal: and such Clerk of the Errors shall forthwith enter every appeal of which he shall have received due notice from the appellant as aforesaid in a book to be kept by him for that purpose.

Sittings of the Court of Exchequer Chamber for purposes of this Act, how to be fixed.

LXXVI. And be it enacted, That the Chief Justice of the Court of Queen's Bench in *Ireland* for the time being, or in case of his sickness or absence from *Ireland*, or the vacancy of the said office, the Chief Justice of the Court of Common Pleas in *Ireland* for the time being, or in case of his sickness or absence from *Ireland* or of the vacancy of the said office, the Chief Baron of the Court of Exchequer in *Ireland* for the time being shall, as soon as may be after the fourth day of the said *Easter* term one thousand eight hundred and fifty-one, and also of every *Michaelmas* term in every year after one thousand eight hundred and fifty-one, make arrangements for hearing the appeals entered as aforesaid, and shall appoint such certain day or days, either in term time or in time of vacation, as he may think fit and necessary, but as early as conveniently may be, for the purpose of hearing and deciding such appeals; and such respective Chief Justice or Chief Baron, as the case may be, shall cause public notice to be given of the time so appointed by him for that purpose, and of the order in which such appeals will be heard.

No appeal to be heard unless notice shall have been given.

LXXVII. And be it enacted, That no such appeal or matter of appeal whatsoever shall in any case, except where the conduct and direction of a consolidated appeal,

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or of the answer thereto, shall have been given, by order of the said Court of Exchequer Chamber, or any of the said Superior Courts of Law, to any person, be entertained or heard by the said Court of Exchequer Chamber, unless notice shall have been given by the appellant to the Clerk of the Errors in the said last-mentioned court at the time and in the manner hereinbefore mentioned; and no appeal shall be heard by the said Court in any case where the said respondent shall not appear, unless the appellant, or person to whom the conduct and direction of the appeal shall have been given, shall prove that due notice of his intention to prosecute such appeal was given or sent to such respondent six days at least before the day appointed for the hearing of such appeal: Provided always, that if it shall appear to the said Court that there has not been reasonable time to give or send such notice in any case, it shall be lawful for the said Court to postpone the hearing of the appeal in such case, as to the said Court shall seem meet.

No appeal on questions of fact.

LXXVIII. And be it enacted, That no appeal or notice of appeal under this Act shall be received or allowed against any decision of any Assistant Barrister upon any question of fact only, or upon the admissibility or effect of any evidence or admission adduced or made in any case to establish any matter of fact only: Provided always, that if the said Court shall be of opinion in any case that the statement of the matter of the appeal is not sufficient to enable them to give judgment in law, it shall be lawful for the said Court to remit the said statement to the Assistant Barrister by whom it shall have been signed, in order that the case may be more fully stated.

Court may remit appeal to Assistant Barrister, to be more fully stated.

Decisions of Court of appeal final and binding.

LXXIX. And be it enacted, That every judgment or decision of the said Court of Exchequer Chamber shall

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be final and conclusive in the case upon the point of law adjudicated upon, and shall be binding upon any committee of the House of Commons appointed for the trial of any petition complaining of an undue election or return of any member or members to serve in Parliament.

Register to be corrected in pursuance of decision of Court of Appeal.

LXXX. And be it enacted, That whenever, by any judgment or order of the said Court of Exchequer Chamber, any decision or order of any Assistant Barrister shall be reversed or altered, so as to require any alteration or correction of the Register of voters for any county or for any city, town, or borough, notice of the said judgment or order of the said Court shall forthwith be given by the said Court to the Sheriff or Returning Officer, as the case may be, having the custody of such Register, and also to the Clerk of the Peace hereby directed to keep copies thereof, and each such notice shall be in writing under the hand of the Clerk of the Errors in the said Court, and shall specify exactly every alteration or correction to be made in pursuance of the said judgment or order in the said Register; and such Sheriff or Returning Officer respectively shall, upon the receipt of the said notice, alter or correct the Register accordingly, and shall sign his name against every such alteration or correction in the said Register, and shall safely keep, and hand over to his successors, every such notice received by him from the said Court as aforesaid, together with the said Register; and the said Clerk of the Peace shall make the like alteration or correction in a copy of the Register to be kept by him for such purpose, and also in all copies thereof which he shall from time to time deliver.

Copies of decisions shall be evidence.

LXXXI. And be it enacted, That a copy of any order or decision of the said Court of Exchequer Chamber, such copy purporting to be signed by the Clerk of the Errors, shall be sufficient evidence in all cases, without

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proof of the signature of the said Clerk, and shall have the like force and effect as any entry made in any list or Register of voters under this or the said recited Act.

Appeal pending not to affect right of voting.

LXXXII. And be it enacted, that no right of voting at any election as aforesaid of a member or members to serve in Parliament shall be affected by any appeal pending the said Court at the time of the issuing of the writ for such election, but it shall be lawful for every person to exercise the right of voting at such election as effectually, and every vote tendered thereat shall be as good, as if no such appeal were pending; and that the subsequent decision of any appeal which shall be pending in the said Court at the time of the issuing of the writ for any such election shall not in any way whatsoever alter or affect the poll taken at such election, or the return made thereat by the Returning Officer.

Power to Court to make orders respecting costs.

LXXXIII. And be it enacted, That it shall be lawful for the said Court to make such order respecting the payment of the costs of any appeal, or of any part of such costs, as to the said Court shall seem meet: Provided always, that it shall not be lawful for the said Court in any case to make any order for costs against or in favour of any respondent or person named as respondent aforesaid, unless he shall appear before the said Court in support of the decision of the Assistant Barrister in question.

Costs and fines imposed by Barristers, how recoverable.

LXXXIV. And be it enacted, That in case any sum of money, by the order of any Assistant Barrister as aforesaid directed to be paid by any person by way of fine or of costs, shall not be paid according to the terms of such order, it shall be lawful for any Justice of the Peace and he is hereby required, upon proof before him that a true copy of the said order hath been served upon or left at the usual place of abode of the person in the said order directed to pay such sum, and that the said sum hath

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been demanded of such person, and that he hath refused or neglected to pay the same, by warrant under his hand and seal to order the said sum of money, together with the costs of and attending the said warrant, to be levied by distress and sale of the goods and chattels of such person so making default which may be found within the jurisdiction of the said Justice; and the overplus, if any, after the said sum of money and costs, and the charges of such distress and sale, are deducted, shall be returned, upon demand, to the owner of the said goods and chattels: Provided always, that no certiorari or other writ or process for the removal of any such order or warrant, or of any order or warrant to be made or issued on account of a false charge of personation in the manner hereinafter provided, or any proceeding thereon respectively, into any of Her Majesty's courts at *Dublin*, shall be allowed or granted.

Register to be conclusive evidence of right to vote.

LXXXV. And be it enacted, That at every election of a member or members to serve in Parliament for any county, city, town, or borough in *Ireland*, holden after the fifteenth day of *March* one thousand eight hundred and fifty-one, the Register of voters so made as aforesaid under this Act shall be deemed and taken to be conclusive evidence that the persons therein named continue to have the qualifications which are annexed to their names respectively in the Register in force at such election.

Persons rejected by Barrister may tender their votes.

LXXXVI. Provided always, and be it enacted, That any person whose name shall have been omitted from any Register of voters in consequence of the decision of the Barrister who shall have revised the lists from which such Register shall have been formed may tender his vote at any election at which such Register shall be in force, stating at the time the name or names of the candidate or candidates for whom he tenders such vote, and the Returning

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Officer or his Deputy shall not admit and allow such vote, but shall enter upon the poll book every vote so tendered, distinguishing the same from the votes admitted and allowed at such election.

In the case of rated occupiers, the diminution of value on appeal, or the quashing of the rate after a vote given at an election, not to invalidate such vote.

LXXXVII. Provided also, and be it enacted, That in the case of any voter whose qualification appearing on the Register of voters in force at any such election shall be the occupation of lands, tenements, or hereditaments rated as of the net annual value of twelve pounds or upwards or eight pounds or upwards, as the case may be, when any such voter shall have voted at any such election, no subsequent diminution of the valuation or rate of or on such respective premises upon an appeal against the rate, and no subsequent quashing of such rate, shall upon petition to the House of Commons or otherwise invalidate the vote given at such election by such voter who shall be so on the Register of voters then in force as aforesaid, and shall at the time of voting be in the occupation of the said premises.

No inquiry at election, except as to identity of voter, and whether he has already voted.

LXXXVIII. And be it enacted, That in all elections whatever of a member or members to serve in Parliament for any county, or for any city, town, or borough in *Ireland*, holden after the fifteenth day of *March* one thousand eight hundred and fifty-one, no inquiry shall be permitted at the time of polling as to the right of any person to vote, nor any objection thereto made or received by any Returning Officer or his Deputy, except only as follows; (that is to say), that the Returning Officer or his respective Deputy shall, if required on behalf of any candidate, put to any voter at the time of his tendering his vote, and not afterwards, the following questions, or either of them:

1. "Are you the same person whose name appears as *A. B.* on the Register of voters now in force for the

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county of [*or* for the city *or* town *or* borough of *as the case may be*]?"

2. "Have you already voted, either here or elsewhere, at this election for the county of [*or* for the city *or* town *or* borough of *as the case may be*]?"

And if any person shall wilfully make a false answer to either of the questions aforesaid, he shall be deemed guilty of a misdemeanor, and shall and may be indicted and punished accordingly; and the Returning Officer or his Deputy, or a Commissioner or Commissioners (whom the Returning Officer is hereby authorized, if he shall think fit, to appoint for that purpose), shall, if required on behalf of any candidate at the time aforesaid, administer an oath, or (in case of a Quaker, Moravian, or Separatist) an affirmation, to any voter, in the following form:

"You do swear [*or* affirm, *as the case may be*,] that you are the same person whose name appears as *A. B.* on the Register of voters now in force for the county of [*or* for the city *or* town *or* borough of *as the case may be*], and that you have not before voted, either here or elsewhere, at the present election for the county of *or* for the city *or* town *or* borough of *as the case may be*],

"So help you GOD."

No other oath to be taken.

LXXXIX. And be it enacted, That, save as aforesaid, it shall not be lawful to require any voter at any election whatever of a member or members to serve in Parliament holden after the fifteenth day of *March* one thousand eight hundred and fifty-one, to take any oath or affirmation, either in proof of his freehold, occupation, or of his residence, age, or other qualification or right to vote, or of his qualification continuing, or of his not owing any

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cesses, rates, or taxes whatsoever, any law or statute, local or general, to the contrary notwithstanding, nor to reject any vote tendered at such election by any person whose name shall be upon the Register of voters in force for the time being, except by reason of its appearing to the Returning Officer or his Deputy, upon putting such questions as aforesaid or either of them, that the person so claiming to vote is not the same person whose name appears on such Register as aforesaid, or that he had previously voted at the same election, or except by reason of such person refusing to answer the said questions or either of them, or to take the said oath or make the said affirmation, or to take or make the oath or affirmation against bribery; and no scrutiny shall hereafter be allowed by or before any Returning Officer with regard to any vote given or tendered at any such election, any law, statute, or usage to the contrary notwithstanding.

Persons personating voters guilty of a misdemeanor.

XC. And be it enacted, That if at any election of a member or members to serve in Parliament for any county, city, town, or borough in *Ireland* holden at any time after the fifteenth day of *March* one thousand eight hundred and fifty-one any person shall knowingly personate and falsely assume to vote in the name of any other person registered under the provisions of the said recited Act to amend the Representation of the People of *Ireland*, or whose name appears on the Register of voters then in force for any such county, city, town, or borough, whether such other person shall then be living or dead, or if the name of the said other person be the name of a fictitious person, every such person shall be guilty of a misdemeanor and on being convicted thereof shall be punished by imprisonment for a term not exceeding two years, together with hard labour.

XCI. And be it enacted, That every person who shall

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aid, abet, counsel or procure the commission of any such last-mentioned misdemeanor shall be liable to be indicted and punished as a principal offender.

Aiders and abettors punishable as principals.

XCII. And for the more effectual detection of the personation of voters at elections, be it enacted, That it shall be lawful for any candidate at any election of a member or members to serve in Parliament for any county, city, town, or borough in *Ireland* holden after the fifteenth day of *March* one thousand eight hundred and fifty-one, previous to the time fixed for taking the poll at such election, to nominate and appoint an agent or agents in his behalf, to attend at each or any of the booths appointed for taking the poll at such election, for the purpose of detecting personation; and such candidate shall give notice in writing to the returning officer or his respective deputy of the name and address of the person or persons so appointed by him to act as agents for such purpose, and thereupon it shall be lawful for every such agent to attend, during the time of polling, at the booth or booths for which he shall have been so appointed.

Agents to detect personation may be appointed.

XCIII. And be it enacted, That if at the time any person tenders his vote at such election, or after he has voted, and before he leaves the polling booth, any such agent so appointed as aforesaid shall declare to the Returning Officer or his respective Deputy presiding therein, that he verily believes, and undertakes to prove, that the said person so voting is not in fact the person in whose name he assumes to vote, or to the like effect, then and in every such case it shall be lawful for the said Returning Officer or his said Deputy, and he is hereby required, immediately after such person shall have voted, by word of mouth to order any constable or other peace officer to take the said person so voting into his custody, which said order shall be a sufficient warrant and authority to the said

Persons charged with personation of voters may be taken into custody;

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constable or peace officer for so doing: provided always, that nothing herein contained shall be construed or taken to authorize any Returning Officer or his Deputy to reject the vote of any person who shall answer in the affirmative the questions authorized by this Act to be put to him at the time of polling, and shall take the oaths or make the affirmations authorized and required of him, but the said Returning Officer or his Deputy shall cause the words "protested against for personation" to be placed against the vote of the person so charged with personation when entered in the poll book.

and brought before two Justices.

XCIV. And be it enacted, That every such constable or peace officer shall take the person so in his custody, at the earliest convenient time, before some two Justices of the Peace acting in and for the county, city, town, or borough within which the said person shall have so voted as aforesaid: Provided always, that in case the attendance of two such Justices as aforesaid cannot be procured within the space of three hours after the close of the poll on the same day on which such person shall have been so taken into custody, it shall be lawful for the said constable or peace officer, and he is hereby required, at the request of such person so in his custody, to take him before any one Justice of the Peace acting as aforesaid; and such Justice is hereby authorized and required to liberate such person, on his entering into a recognizance, with one sufficient surety, conditioned to appear before any two such Justices as aforesaid, at a time and place to be specified in such recognizance, to answer the said charge; and if no such Justice shall be found within four hours after the closing of the said poll, then such person shall forthwith be discharged from custody: Provided also, that if, in consequence of the absence of such Justices as aforesaid, or from any other cause, the said charge cannot

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be inquired into within the time aforesaid, it shall be lawful nevertheless for any two such Justices as aforesaid to inquire into the same on the next or on some other subsequent day, and, if necessary, to issue their warrant for the apprehension of the person so charged.

Offenders may be committed for trial.

XCV. And be it enacted, That if on the hearing of the said charge the said two Justices shall be satisfied, upon the evidence on oath of not less than two credible witnesses, that the said person so brought before them has knowingly personated and falsely assumed to vote in the name of some other person within the meaning of this Act, and is not in fact the person in whose name he voted, then it shall be lawful for the said two Justices to commit the said offender to the gaol of the county, city, town, or borough within which the offence was committed, to take his trial according to law, and to bind over the witnesses in their respective recognizances to appear and give evidence on such trial, as in the case of other misdemeanors.

Justices may award compensation to persons unjustly charged.

XCVI. And be it enacted, That if the said Justices shall, on the hearing of the said charge, be satisfied that the said person so charged with personation is really and in truth the person in whose name he voted, and that the charge of personation has been made against him without reasonable or just cause, or if the agent so declaring as aforesaid, or some one on his behalf, shall not appear to support such charge before the said Justices, then it shall be lawful for the said Justices, and they are hereby required, to make an order in writing under their hands on the said agent so declaring as aforesaid to pay to the said person so falsely charged, if he shall consent to accept the same, any sum not exceeding the sum of ten pounds nor less than five pounds by way of damages and costs; and if the said sum shall not be paid within twenty-four hours after such order shall have been made, then the same shall

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be levied by warrant under the hand and seal of any Justice of the Peace acting as aforesaid, by distress and sale of the goods and chattels of the said agent; and in case no sufficient goods or chattels of the said agent can be found on which such levy can be made, then the same shall be levied in like manner on the goods and chattels of the candidate by whom such agent was so appointed to act; and in case the said sum shall not be paid or levied in the manner aforesaid, then it shall be lawful for the said person to whom the said sum of money was so ordered to be paid to recover the same from the said agent or candidate, by civil bill, or, with full costs of suit, in an action for debt to be brought in any one of Her Majesty's Superior Courts of Record at *Dublin:* Provided always, that if the person so falsely charged shall have declared to the said Justices his consent to accept such sum as aforesaid by the way of damages and costs, and if the whole amount of the sum so ordered to be paid shall have been paid or tendered to such person, in every such case, but not otherwise, the said agent, candidate, and every other person shall be released from all actions or other proceedings, civil or criminal, for or in respect of the said charge and apprehension.

Power to provide a sufficient attendance of constables at polling places.

XCVII. And be it enacted, That it shall and may be lawful for the High Sheriff of any county, and for the Mayor or Returning Officer of any city, town, or borough, and he and they are hereby required, for the purposes aforesaid, to provide a sufficient attendance of constables or peace officers in each booth at the different polling places within their respective counties, cities, towns, or boroughs.

Duty of Returning Officer when vote has been re-

XCVIII. And be it enacted, That in case the vote of any person shall have been received, and any other person shall afterwards tender his vote as being registered in re-

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spect of the same qualification, stating at the time the name or names of the candidate or candidates for whom he tenders such vote, the Returning Officer or his Deputy shall not admit or allow such vote, but shall enter upon the poll-book every vote so tendered, distinguishing the same from the votes admitted and allowed at such election: Provided such person shall, at any election holden on or before the said fifteenth day of *March* one thousand eight hundred and fifty-one, take the oath now by law to be administered, or at any election holden after the said fifteenth day of *March* one thousand eight hundred and fifty-one duly answer the questions or take the oath hereinbefore authorized to be put to any voter at the time of tendering his vote.

ceived, and another party tenders in respect of the same qualification.

XCIX. And whereas it is expedient to make better provision than that now by law made for the safe custody and production of the poll-books at elections subsequent to the final close of the poll: Be it therefore enacted, That at every contested election of the member or members to serve in Parliament for any county, or for any city, town, or borough in *Ireland*, holden after the commencement of this Act, the Sheriff, Under Sheriff, or Returning Officer, after having declared the state of the poll and made proclamation of the member or members chosen to serve in Parliament, shall, anything in any Act or Acts now in force in *Ireland* to the contrary notwithstanding, forthwith enclose and seal up the several poll-books, and tender the same to each of the candidates to be sealed by them respectively; and in case any candidate shall neglect or refuse to seal the same, the Sheriff, Under Sheriff, or Returning Officer shall thereupon endorse on one of the said poll-books the fact of such neglect or refusal; and every such Sheriff, Under Sheriff, or other Returning Officer shall, by himself or his agent, as soon as possible

Provision for custody of poll-books.

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after such proclamation as aforesaid, deliver the same poll-books, so sealed as aforesaid, to the Clerk of the Crown and Hanaper in the High Court of Chancery in *Ireland*, or his Deputy, or deliver the same, directed to the said Clerk of the Crown and Hanaper, to the Postmaster or Deputy Postmaster of the city, town, or place wherein such proclamation shall have been made as aforesaid, who on receipt thereof shall give an acknowledgment in writing of such receipt to such Sheriff, Under Sheriff, or Returning Officer, expressing therein the time of such delivery, and shall keep a duplicate of such acknowledgment signed by such Sheriff, Under Sheriff, or Returning Officer; and the said Postmaster or Deputy Postmaster shall despatch all such poll-books, so sealed and directed as aforesaid, by the first post or mail after the receipt thereof, to the General Post Office in *Dublin;* and the Postmaster or Postmaster-General are hereby directed, immediately on the receipt of such poll-books, to convey the same to the Crown and Hanaper Office, and to deliver the same there, so sealed as aforesaid, to the said Clerk of the Crown and Hanaper, or his Deputy; and the said Clerk of the Crown and Hanaper, or his Deputy, is hereby required to give to such Postmaster or Postmaster-General, Sheriff, Under Sheriff, Returning Officer, or Agent delivering the same, a memorandum in writing acknowledging the receipt of such poll-books, and setting forth the day and hour when the same were delivered at the Crown and Hanaper Office; and the said Clerk of the Crown and Hanaper, or his Deputy, is hereby required, immediately on receipt of such poll-books, to register the same in the books of the said Crown and Hanaper Office, and to endorse thereon the day and hour upon which he received the same; and every such Sheriff, Under Sheriff, or Returning Officer is hereby required at the

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time of transmitting such poll-books as aforesaid through the Post Office, to address and forward a letter by the same post or mail to the said Clerk of the Crown and Hanaper, informing him of such transmission, and giving the number and description of such poll-books so transmitted.

Office copies evidence.

C. And be it enacted, That office copies issued by the said Clerk of the Crown and Hanaper, or his Deputy, of such poll-books, shall be received and taken in evidence in all Courts of Law in actions for bribery or personation, or for any other purpose whatsoever.

Clerk of Crown and Hanaper shall keep poll-books;

CI. And be it enacted, That the said Clerk of the Crown and Hanaper shall keep and preserve the said several poll-books, and shall deliver to any party applying for the same an office copy of all or any part of such poll-books, on payment of a reasonable charge for writing the same, and shall also permit any party to inspect such poll-books.

and produce them before Committee of House of Commons, when required.

CII. And be it enacted, That the said Clerk of the Crown and Hanaper shall, upon receiving a warrant signed by the Chairman of any Committee of the House of Commons appointed for the trial of controverted elections, produce by himself or his Agent before such Committee the said several books so deposited with him as aforesaid; and such production shall be sufficient *primâ facie* proof of the authenticity of the said poll-books: Provided always, that in case of the temporary absence or sickness of the Clerk of the Crown and Hanaper, his chief assistant in his office shall and may be authorized to act in his place for the purposes of this Act.

Officers liable to action for breach of duty.

CIII. And be it enacted, That every Sheriff, Under Sheriff, Clerk of the Peace, Town Clerk, Clerk of the Union, High Constable, Returning Officer, Clerk of the Crown and Hanaper, Postmaster, or other person or public officer required by this Act to do any matter or thing,

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shall for every wilful misfeasance or wilful act of commission or omission contrary to this Act forfeit to any party aggrieved the penal sum of one hundred pounds, or such less sum as the jury before whom may be tried any action to be brought for the recovery of the before-mentioned sum shall consider just to be paid to such party, to be recovered by such party, with full costs of suit, by action of debt in any of Her Majesty's Superior Courts in *Dublin*: Provided always, that nothing herein contained shall be construed to supersede any remedy or action against any Returning Officer according to any law now in force.

Powers of Select Committee of House of Commons on petition in respect of right of voting.

CIV. And be it enacted, That upon petition to the House of Commons complaining of any undue election or return of any member or members to serve in Parliament for any county, city, town, or borough in *Ireland*, after the said fifteenth day of *March* one thousand eight hundred and fifty-one, it shall and may be lawful for the select Committee appointed for the trial of such petition to inquire into and decide upon the right to vote of any person who, being upon the Register of voters in force at the time of such election, shall have voted in such election, or, not being upon such Register, shall have tendered his vote at such election, in case the name of such person shall have been specially retained upon such Register, or inserted therein, or expunged or omitted therefrom, by the express decision of the Assistant Barrister who shall have revised the list of voters from which such Register shall have been formed; and also that it shall and may be lawful for such Committee to inquire into and decide upon the right to vote of any person who, being upon such Register, shall have voted in such election, so far as the same may be disputed on the ground of legal incapacity at the time of his voting under and by virtue of any Statute now or hereafter to be in force, or on the ground of any other legal incapacity at the time of his voting which may have

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arisen subsequently to the expiration of the time allowed for making out the list of voters from which the Register of voters in force at the time of such election shall have been formed; but that, except in such cases or on such grounds as aforesaid the Register of voters in force at the time of such election shall, so far as regards the proceedings before such Committee, be final and conclusive, to all intents and purposes, as to the right to vote in such election of every person who shall be upon such Register.

Select Committee may correct poll and Register in certain cases.

CV. And be it enacted, That it shall and may be lawful for such select Committee, in such cases or on such grounds to alter the poll taken at such election, according to the truth of the case; and that they shall report the determination thereupon to the house, and the house shall thereupon carry such determination into effect, and the return shall be amended or the election declared void, as the case may be, and the Register corrected accordingly; or such other order shall be made as to the House may seem proper.

Who shall discharge duty of Town Clerk when there in no such officer in any borough.

CVI. And be it enacted, That in any such city, town, or borough in which there shall be no Town Clerk all matters by this Act required to be done by or in regard to the Town Clerk shall be done by and with regard to the Clerk for the time being of the Commissioners (if any) elected in such city, town, or borough under the said hereinbefore mentioned Act of the ninth year of King *George* the Fourth, and in case there shall be no such Commissioners then by and with regard to the High Constable or Collector of Grand Jury Cess for such city, town, or borough, if there shall be a separate Collector of such cess for the same, or if there be not such separate Collector, then by and with regard to the High Constable or Collector of such cess for the barony in which such city, town, or borough, or the larger part of the same, is situ-

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ate, until there shall be a Town Clerk in any such city, town, or borough; and in such respective cases all and every the provisions of this Act shall apply and extend to such Clerks of such Commissioners, or to such High Constable or Collector of Cess, as the case may be, as fully as to any Town Clerk; and the expression "Town Clerk" in this Act and the Schedules thereto shall in such cases be deemed to include any such Clerk of the Commissioners or High Constable or Collector: Provided always, that in the borough of *Galway* all matters by this Act required to be done by or in regard to the Town Clerk shall be done by and with regard to the Clerk of the Commissioners acting in execution of an Act passed in the session of Parliament holden in the sixth and seventh years of the reign of King *William* the Fourth, intituled, *An Act for regulating and improving the Town of* Galway *in the County of the same Town*, until there shall be a Town Clerk therein, and all and every the provisions of this Act shall apply and extend to such Clerk of the *Galway* Town Commissioners as fully as to any Town Clerk.

In Galway all matters required to be done, &c. by the Town Clerk shall be done, &c. by the Clerk of the Commissioners acting under 6 & 7 Wm. IV. c. 117.

CVII. And be it enacted, That for the purpose of facilitating the formation of the Register of electors according to the provisions of this Act, the Commissioners for administering the laws for the relief of the poor in *Ireland* shall, with all convenient speed after the passing of this Act, cause the name of the barony or half barony within which any townland is situate to be attached to the name of such townland in the existing rate-books of each Union, and in all future rate-books shall cause the name of each barony or half barony to be attached to the name of each townland is such barony where such townland is mentioned in such rate-books.

Poor law Commissioners to cause the names of baronies in which townlands are situate to be inserted in rate-books.

CVIII. And be it enacted, That for the purpose of this Act the said rate-books, or a compared copy thereof or of

Rate books, or compared copies thereof, to be

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any part thereof, shall be *primâ facie* evidence of the several matters entered or stated therein, but that it shall be lawful for any person who shall have duly served a notice of claim or objection pursuant to the provisions hereinbefore contained to prove by evidence that any of the entries or statements therein is untrue or incorrect, except the statements, or entries in such rate-books of the value of any lands, tenements, or hereditaments, as to which the same are hereby declared to be conclusive for the purposes of this Act.

prima facie evidence.

CIX. And be it enacted, That the respective Collector of Poor Rates shall attend in person, or by a sufficient Deputy duly appointed by him by writing under his hand at some place in each barony (of which he shall give public notice) within the Union or part of the Union whereof he is collector, during the thirtieth day of *September* in the year one thousand eight hundred and fifty, and during the three next preceding days, exclusive of *Sunday*, and in each year after one thousand eight hundred and fifty one during the first day of *July* (not being *Sunday*), and during the three next preceding days, exclusive of *Sunday*, or if the first day of *July* be *Sunday* then during the four next preceding days in each such year, for the purpose of giving receipts for poor rate to any persons requiring the same, and paying the amount of poor rate then payable by them; and the respective Collector of Poor Rate or a sufficient Deputy for him as aforesaid shall in like manner attend at a place (of which he shall give public notice) in every such city, town, or borough as aforesaid within the Union or part of the Union of which he is Collector, during the like days as before provided in the year one thousand eight hundred and fifty, and (as regards each year after one thousand eight hundred and fifty-one) during the first day of *July* (not being

Collector of poor rates, or Deputy, &c., shall attend to receive poor rates.

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Sunday), and during the three next preceding days, exclusive of *Sunday*, or if the first day of *July* be *Sunday* then during the four next preceding days in each year for the like purpose; and if any such Collector of Poor Rates shall not return to the Clerk of the respective Union the names and descriptions of the persons who shall have paid their poor rates, and a statement of the sums respectively paid by them, within the space of two days after the thirtieth day of *September* in the year one thousand eight hundred and fifty, or the first day of *July* in any year after one thousand eight hundred and fifty-one, or if any such Collector shall neglect or refuse to give his assistance to the Clerk of the respective Union as by this Act required in or for the making out the return or list of rated occupiers or the copy of the Register in any year for the purposes of this Act, or shall wilfully and without reasonable cause give any false information which may lead to the omission of, or the entering of an objection to the name of any person entitled to be inserted in such list, or to the insertion of the name of any person not entitled to be inserted therein, such Collector shall be liable to a penalty not exceeding ten pounds, to be recovered summarily before any Justice of the Peace, and levied by distress.

Penalty for not making return of payments, and for other offences.

CX. And be it enacted, That it shall be lawful for any person who shall occupy any lands, tenements, or hereditaments rated under the Acts for the more effectual relief of the destitute poor in *Ireland* at a net annual value of twelve pounds or upwards, in any electoral division in any county, or eight pounds or upwards in any city, town, or borough in *Ireland*, in which there shall be a rate for the relief of the destitute poor, and whose name shall have been omitted from such rate, to present to the Guardians of the Union a claim to be rated in respect of

Occupiers of land or premises valued at 12*l.* in counties, or 8*l.* in towns, may claim to be rated.

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such premises, and such claim shall be in writing, and signed with his name; and upon such occupier so claiming, and actually paying or tendering the full amount of the rate or rates (if any) then due in respect of such premises, the Guardians of the Union shall insert the name of such occupier in such rate in respect of such premises as aforesaid; and in case such Guardians shall neglect or refuse so to do such occupier shall, for the purposes of this Act, be deemed to have been rated in respect of such premises in the rate in respect of which he shall have claimed to be rated as aforesaid.

No person entitled to be registered who has received relief under Acts for relief of destitute poor.

CXI. And be it enacted, That no person shall be entitled to be registered in any year as a voter in the election of a member or members to serve in Parliament for any county, city, town, or borough in *Ireland* who shall, within twelve calendar months next previous to the ninth day of *November* one thousand eight hundred and fifty (as regards the Register for the year one thousand eight hundred and fifty-one), or the twentieth day of *July* of the current year (as regards each year after one thousand eight hundred and fifty-one), have received relief under the Acts for the more effectual Relief of the destitute Poor in *Ireland*.

How distances to be measured in respect of boroughs.

CXII. And whereas doubts have arisen as to the proper mode of measuring the distance of seven statute miles in the said Act to amend the Representation of the People of *Ireland* mentioned, and therein prescribed as to the residence of voters for cities, towns, and boroughs in certain cases: Be it therefore enacted, That the said distance shall be measured in a straight line from the same place within any such city, town, or borough from which such distance is to be measured according to the directions in that behalf in the said Act: Provided always, that in cases where there is now or shall hereafter be a map of any such city, town, or borough, and of the

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county or counties surrounding the same, sufficiently extensive for the purpose, drawn or published under the authority and direction of the principal officers of Her Majesty's ordnance, such distance shall be measured and determined by the said map.

Notices of objections may be sent by post.

CXIII. And be it enacted, That it shall be sufficient in every case of notice to any person objected to in any list of county, city, town, or borough voters, and also in the case of county voters, to the occupying tenant whose name and place of abode appears in such respective list as aforesaid, if the notice so required to be given as aforesaid shall be sent by the post, free of postage, or the sum chargeable as postage for the same being first paid, directed to the person to whom the same shall be sent, at his place of abode as described in the said list of voters; and whenever any person shall be desirous of sending any such notice of objection by the post he shall deliver the same, duly directed, open, and in duplicate, to the postmaster of any post office where money orders are received or paid, within such hours as shall have been previously given notice of at such post office, and under such regulations with respect to the registration of such letters and the fee to be paid for such registration, which fee shall in no case exceed twopence over and above the ordinary rate of postage, as shall from time to time be made by the Postmaster General in that behalf; and in all cases in which such fee shall have been duly paid the postmaster shall compare the said notice and the duplicate, and, on being satisfied that they are alike in their address and in their contents, shall forward one of them to its address by the post, and shall return the other to the party bringing the same, duly stamped with the stamp of the said post office; and the production by the party who posted such notice of such stamped duplicate shall be evidence of the

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notice having been given to the person at the place mentioned in such duplicate on the day on which such notice would in the ordinary course of post have been delivered to such place: Provided always, that if no place of abode of the person objected to shall be described in the said list, or if such place of abode shall be situate out of the United Kingdom, then it shall be sufficient if notice shall be given to the Clerk of the Peace, and to such occupying tenant as aforesaid (if any) in the case of a county voter, or in the case of a city, town, or borough voter, to the Town Clerk.

Other notices, how sent.

CXIV. And be it enacted, That whenever any notice is by this Act required to be given or sent to the Clerk of the Peace or Clerk or Clerks of the Union or Unions, it shall be sufficient if such notice shall be left at his place of abode, or at his office or other place for transacting business, or shall be sent by the post free of postage, or the postage thereof being first paid, addressed to the Clerk of the Peace, or Clerk or Clerks of the Union or Unions; and that whenever by this Act any notice is required to be given or sent to any person or persons whatsoever, or public officer, it shall be sufficient if such notice be sent by the post in the manner and subject to the regulations hereinbefore provided with respect to sending notices of objection by the post free of postage, or the postage thereof being first paid, addressed with a sufficient direction to the person or persons to whom the same ought to be given or sent, at his or their usual place of abode.

Errors and misdescriptions not to prevent operation of Act, &c.

CXV. And be it enacted, That no misnomer or inaccurate description of any person, place, or thing named or described in any Schedule to this Act annexed, or in any rate, list, or copy of Register of voters or in any notice required by this Act, shall in anywise prevent or

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abridge the operation of this Act with respect to such person, place, or thing, provided that such person, place, or thing shall be so denominated in such schedule, rate, list, copy of Register, or notice as to be commonly understood.

Certain provisions of 6 & 7 Vict. c. 92, repealed as to certain boroughs.

CXVI. And whereas by an Act of the sixth and seventh years of the reign of Her present Majesty, intituled, *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in* Ireland, it is enacted, that whenever the net annual value of the whole rateable hereditaments in any Union occupied by any person or persons having no greater estate or interest therein than a tenancy from year to year, or holding under lease or agreement, leases or agreements, made after the passing of the said Act, shall not exceed four pounds, or in any electoral division situated wholly or in part in any of the boroughs named in the Schedule annexed to the said Act shall not exceed eight pounds, the rate in respect of such property shall after the passing of the said Act be made on the immediate lessor or lessors of such person or persons; and if at the time of making any rate the name of the immediate lessor be not accurately known to the persons making the rate, it shall be sufficient to describe him therein as "the immediate lessor," with or without any name or further addition, and such rate shall be held to be duly made on him by such description, and shall be recoverable from him accordingly, notwithstanding any error or defect in his name or description, or the entire omission of his name therein: And whereas it is expedient to repeal the said provision, so far as the same relates to the boroughs named in the Schedule to the said Act annexed, and no further, and to substitute another provision in lieu thereof: Be it therefore enacted, That from and after the passing of this Act

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so much of the said recited provision as relates to the said boroughs, or any of them, named in the Schedule to the said Act annexed, shall be and the same is hereby repealed, save and except as to any rate made or any matter or thing done before the passing of this Act, or as to any remedy or proceeding for or relating to any rate, matter, or thing made or done before the passing of this Act; and that whenever, from and after the passing of this Act, the net annual value of the whole of the rateable hereditaments in any electoral division situated wholly or in part in any of the boroughs of *Dublin*, *Cork*, *Limerick*, *Belfast*, or *Waterford*, occupied by any person or persons having no greater estate or interest therein than a tenancy from year to year, or holding under a lease or agreement, leases or agreements, made after the passing of the said last-recited Act, shall be rated for the poor rate under the value of eight pounds, the rate in respect of such property shall after the passing of this Act be made on the immediate lessor or lessors of such person or persons; and if at the time of making any such rate the name of the immediate lessor be not accurately known to the persons making the rate, it shall be sufficient to describe him therein as "the immediate lessor," with or without any name or further addition, and such rate shall be held to be duly made on him by such description, and shall be recoverable from him accordingly, notwithstanding any error or defect in his name or description, or the entire omission of his name therein.

Where premises in certain boroughs are rated at a value under 8*l.*, the rate is to be made on the immediate lessors.

CXVII. And be it enacted, That in this Act and the Schedules thereto annexed, unless there be something in the subject or context repugnant to such construction, the words "Clerk of the Peace" shall be construed to include Clerk of the Peace or his Deputy, or other person for the time being acting for him, and having the custody

Interpretation of terms.

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of records relating to the registry of Parliamentary voters; and the words "Assistant Barrister" shall apply to and include the Chairman of the Sessions of the Peace for the County of *Dublin* and his Deputy, or any Barrister duly appointed as Deputy for an Assistant Barrister; the word "county" shall include a riding of a county; and the words "county of a city," or "county of a town," or "city" or "town," or "borough," respectively, shall include all places situate within the Parliamentary boundaries of such city or town or borough, and none other; the words "city" or "town" shall respectively include county of a city or county of a town; the expression "High Constable" shall include "Collector of Grand Jury Cess or County Cess;" and the words "Town Clerk" shall include the Deputy of a Town Clerk duly appointed and acting in that behalf; and the word "barony" shall be construed to include a half barony, and any separate portion of a barony, or half barony in a county; and the expression "poor rate" shall be construed to mean a rate made for the more effectual relief of the destitute poor in *Ireland* under the said Act of the session of Parliament holden in the first and second years of the reign of Her present Majesty, or any Act or Acts amending the same; the expression "last rate" shall be construed to mean the last poor rate for the time being for the Union or electoral division made relating to the respective premises: the word "oath" shall include affirmation, where by law such affirmation is required or allowed to be taken in place of an oath; the expression "Register for the year" (specifying a year) shall be deemed to refer to the Register of voters revised at the revision courts in such specified year; the expression "succeeding year" shall be deemed to refer to a year subsequent to the year one thousand eight hundred and

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fifty-one; and every word importing the singular number only shall extend and be applied to several persons and things as well as one person or thing; and every word importing the plural number shall extend and be applied to one person or thing as well as several persons or things.

CXVIII. And be it enacted, That the Schedules to this Act annexed shall be deemed part of this Act. Schedules deemed part of Act.

CXIX. And be it enacted, That nothing herein contained shall extend to the borough of the University of *Dublin*. Act not to extend to University of Dublin.

CXX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present session of Parliament. Act may be amended, &c.

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SCHEDULES.

SCHEDULE (A.)

Forms.

No. 3.

Precept of the Clerk of the Peace to the Clerk of the Union in every Year after the Year 1851.*

To the Clerk of the Union of County of
barony of

In pursuance of the provisions of the Act of Parliament of the 13 & 14 Victoria, c. , I require your attention to the following instructions:—

On or before the [eighth day of July] in the present year you are required to make out and transmit to me, the Clerk of the Peace of the county of at my office at in the said county, the copy of the Register of Voters herewith sent to you for the barony of in the said county, or if the whole of the said barony is not situate within your Union, then such copy of the Register for that part or division of the said barony which is situate within your Union respectively, to be prepared and dealt with in manner following; that is to say,

* Note.—This Precept to be sent to the Clerk of the Union which contains the whole of each barony, or (if a barony be divided so as to lie in more than one Union (then to the Clerk of each Union which contains a part or division of such barony.

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On or before the eighth day of July aforesaid, after due inquiry, which you are hereby required to make, with the assistance of the respective collector or collectors of poor rates (which assistance such collector or collectors is and are required to give), you shall, upon the copy of the Register of the said barony or division of the said barony included within your Union, transmitted to you herewith, enter objections to the names of persons now on such copy of Register who are not entitled to be on the Register next to be made, in manner following; that is to say, you shall add, with a stamp or in writing, in the margin, the word "objected" or "dead" (as the case may be) before the name of any person whose qualification as stated on such copy of Register is as rated occupier of lands, tenements, or hereditaments of the net annual value of twelve pounds or upwards; firstly, if such person shall not have been rated in the then last rate made for the relief of the poor as the occupier of the same lands tenements, or hereditaments in such copy of Register mentioned of a net annual value of twelve pounds or upwards, or, secondly, if such person shall not on or before the [first day of July] in this present year have paid all poor rates (if any) which shall have become payable by him in respect of such lands, tenements, or hereditaments previously to the [first day of January] last; or, thirdly, if you shall have reasonable cause to believe such person not to be or to have ceased to be occupier as aforesaid, or not to have been such occupier during the whole period from the [twentieth day of July] in the last preceding year to the time of your preparing the copy of Register; or fourthly, if you shall have reasonable cause to believe such person for any other cause not to be entitled to have his name on the Register of Voters then next to be made for such county, or to be dead, as the case may be.

Such copy of Register shall be signed by you, and shall be verified by you as true and correct, according to the best of your belief, by an oath to be taken or made by you before some Justice of the Peace for the said county within which such lands

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are situate, or the county in which your Union Workhouse is situate, and which oath any such Justice is authorized and required to administer, and to certify at the foot of such copy of Register the taking of such oath.* *See note (b) underneath.*

You are also to make out, and, together with such copy of Register for the said barony or division of the said barony, transmit to me, a Supplemental List of every male person of full age not appearing already on such copy of Register who shall be rated in the last rate made for the relief of the poor as the occupier of any lands, tenements, or hereditaments situate within your Union, and in the said barony, or in your division of the said barony, as the case may be, of a net annual of twelve pounds or upwards; but you are to exclude nevertheless from such Supplemental List every such occupier who shall not, on or before the first day of July in this year, have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously to the first day of January last; and you are required after due inquiry, which you are required to make, with the assistance of the respective collector of poor rates as aforesaid, to enter objections, by adding in the margin the word "objected" or "dead," as the case may be, before the names of persons in such Supplemental List contained, and not entitled to be on the Register next to be made, in like manner in all respects as hereinbefore directed and required with regard to the copy of Register of such barony or division of a barony, and the names therein contained; and such Supplemental List shall be in the form and shall contain the particulars mentioned in the Form (Number 15.) herewith sent;

* Note (*b*).—If the barony is divided so as to lie in more than one Union, each Clerk of a Union in which any such division of the Barony lies is to deal with the copy of the Register and the names of persons and premises contained therein (so far as relates to such division only of such barony) in like manner in all respects as required in the case of a barony not divided, save that he is to deal only with what relates to his own division of the barony; in like manner he is to make out the Supplemental List only for his own division of the barony.

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and such list shall be signed by you, and shall be verified by you as true and correct, according to the best of your belief, by an oath to be taken or made by you before some Justice of the Peace for the said county within which such lands are situate, or the county in which your Union Workhouse is situate, and which oath any such Justice is authorized and required to administer, and to certify at the foot of such list the taking of such oath.

You are to return the said copy of Register for the said barony, or your division of the said barony, with all such marginal additions as aforesaid so verified, and also therewith to transmit the said Supplemental List for the said barony, or for your division of the said barony, with all such marginal additions thereto as aforesaid so verified, to me, the Clerk of the Peace, at my offices aforesaid, on or before the eighth day of July in this year.

You are required to allow to any person on the lists of voters of the county inspection of the rate-books, and to make extracts therefrom during the periods prescribed by the Statute.

You are required to notify to the respective collectors or their deputies to attend at a place in each barony on the days appointed by the Statute for receiving payment of poor rates, and to give public notice of such days and places, and also to require them to return to you lists of such payments as required by the Statute, subject to the penalties therein.

You, or a sufficient Deputy, to be appointed by you, are or is to attend the court to be holden by the Assistant Barrister [*or* Chairman of the Sessions] for the county of in which the said barony lies (of the time and place of holding which notice will be sent to you), and there have for the inspection of the Assistant Barrister [*or* Chairman] holding such court the rate books or copies of the parts thereof relating to premises within the said barony, or your division thereof.

Herein if you fail you will be liable to the penalties in that case provided.

Given under my hand, this day of

A. B.,

Clerk of the Peace for the county of

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No. 8.

Notice to be given by the Clerk of the Peace in all Years after 1851 *as to Claims to vote.*

County of

I hereby give notice, That all persons entitled to vote in the election of a knight or knights of the shire for the county of in respect of any property situate wholly or in part within any barony of this county, who shall not be on the Supplemental List of ratepayers for such barony, and are not upon the Register of Voters now in force (relating to such barony), or who being upon the Register shall not retain the same qualification or continue in the same place of abode as described in such Register, and who are desirous to have their names inserted in the Register of Voters about to be made for the said county, are hereby required to give or send to me at my office, on or before the fourth day of August in this year, a notice in writing, by them signed, in which their name and surname at full length, their place of abode, and the particulars of their qualification, must be legibly written according to the Form (No. 9.) hereunder set forth.* Any person who is upon the present Register may also make his claim, if he thinks fit; but it is not necessary that he should do so if he has the same qualification and place of abode as now described in the Register.

Dated this day of in the year

(Signed) *A. B.*,

Clerk of the Peace of the county of

* NOTE.—The Form (No. 9.) should be annexed to this Notice.

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No. 9.

Form of Notice of Claim to be given to the Clerk of the Peace in all Years after 1851.

Barony of

To the Clerk of the Peace of the County of

I hereby give you notice, That I claim to be inserted in the list for this barony of voters for the county of and that the particulars of my place of abode and qualification are stated in the columns below.

Dated the day of in the year

(Signed) *A. B.*

Christian Name and Surname of the Claimant at full length.	Place of Abode.	Nature and Amount of Qualification.	Townland, or Denomination, Street, Lane, or other like Place in this Barony, and Number of House (if any), where the Property is situate, or Name of the Property, or Name of the occupying Tenant, if any, or if the Qualification consist of a Rentcharge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

No. 10.

County of , Barony of , to wit.

The list of persons, in the year 18 , claiming to be entitled to vote in the election of a knight [*or* knights] of the shire for

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the county of , in respect of property situate wholly or in part within the barony of .

Margin for entering Clerk of the Peace's Objections.	Christian Name and Surname of each Voter at full length.	Place of Abode.	Nature and Amount of Qualification.	Townland or Denomination, Street, Lane, or other like Place in this Barony, and Number of House (if any), where the Property is situate, or Name of the Property, and the Name of the Tenant, if any, or if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

(Signed) *A. B.*
Clerk of the Peace of the said County.

No. 11.

Notice of Objection to be given to the Clerk of the Peace.

Barony of .

To the Clerk of the Peace of the County of .

I hereby give you notice, That I object to the name of the

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person mentioned and described below being retained in the list for this barony of voters for the county of .

Christian and Surname of the Person objected to, as described in the List or Register.	Place of Abode as described.	Nature of Qualification as described (if registered under 2 & 3 Wm. IV. c. 88, it must be so stated).	Townland or Denomination, Street, Lane, or other like Place, where the qualifying Property is situate, &c., as described in the List or Register.

Dated the day of in the year .

(Signed) *A. B.* [*Place of Abode.*]

No. 12.

Notice of Objection to be given to Parties objected to by any Person other than the Clerk of the Peace or Clerk of the Union.

Barony of .

To Mr. , of .

Take notice, That I object to your name [*in the notice to the tenant, instead of the words* "your name," *insert the name of the person objected to*] being retained in the list for this barony of voters for the county of .

Dated this day of , one thousand eight hundred and .

(Signed) *A. B.*, of [*place of abode,*] being now registered [*or* on the Register of Voters, *or* List of Voters, *as the case may be*] for the county of .

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No. 13.

List of Persons objectea to, in the Year 18 , *to be published by the Clerk of the Peace.*

County of , Barony of .

The following persons have been objected to, as not being entitled to have their names retained in the List for this Barony of Voters for the County of .

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification (if registered under 2 & 3 Wm. IV. c. 88, so state).	Townland or Denomination, Street, Lane, or other like Place in this Barony, and Number of House (if any), where the Property is situate, or name of the Property, Name of the Tenant, or, if the Qualification consist of a Rent-charge, then the Names of the Owners of the Property out of which such Rent is issuing, or some of them, and the Situation of the Property.

(Signed) *A. B.*,

Clerk of the Peace for the County of

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No. 14.

County of Barony of .

Copy of the Register (so far as relates to the barony of) of persons entitled to vote at any election of a member or members of Parliament for the county of between the thirtieth day of November 18 and the first day of December 18 .

Margin for entering Clerk of the Peace's Objections as to others than rated Occupiers.	Margin or Column for entering Clerk of the Union's Objections as to rated Occupiers.	Number prefixed to each Name on the Register.	Christian Name and Surname of each Person on the Register at full length.	Place of Abode.	Nature of Qualification.	Amount of Qualification or Rating.	Townland or Denomination, Street, Lane, or other like Place in this Barony, and Number of House (if any), where the Property is situate, or Name of the Property, and the Name of the Tenant (if any); or if the Qualification consist of a Rentcharge, then the Name of the Owners of the Property out of which such Rentcharge is issuing, or some of them, and the Situation of the Property.	* Data of Registry (in Cases where Party claims under a Registration under 2 & 3 W. IV. c. 88.)

Dated this day of 18 .

(Signed) *A. B.*, Clerk of the Peace for the county of .

NOTE.—This Form to be used in all years after 1851.

* NOTE.—This column to be used only in the six years following 1851.

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No. 15.

[*To be used in all Years after* 1851.]

County of Barony of .

Clerk of the Union's Supplemental List, for the year 18 , of male persons (not already appearing on the copy of the Register for this barony) rated in the last rate under the Acts for the relief of the destitute poor as the occupiers of lands, tenements, or hereditaments rated separately or together at the net annual value of twelve pounds or upwards, and situate in the barony of , being part of the Poor Law Union of , and all which occupiers have, on or before the first day of July in this year, paid all poor rates, if any, which become payable by them respectively out of such respective lands, tenements, or hereditaments previously to the first day of January last.*

Column for entering the Clerk of the Union's Objections.	Rated Occupier's Christian Name and Surname at full length.	Place of Abode.	Rated value of Premises.	Townland or Denomination, Name, and Description of Premises rated, Street, Lane, or other like Place in this Barony, and Number of House (if any), where the Property is situate, or Name of the Property.

I certify that this is a correct list. Dated this day of July 18 .

(Signed) *A. B.*,
Clerk of the Union of .

Verified on oath by the said *A. B.* before me, a Justice of the Peace for the county of , this day of .

C. D.

* NOTE.—All persons whose names already appear on the copy of the Register for this barony are to be omitted from this List.

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SCHEDULE (B.)

Forms for Boroughs.

No. 1.

The List, for the year 18 , of persons registered within eight years previous to the [first day of December] next under the provisions of an Act passed in the session of Parliament holden in the second and third years of the reign of King William the Fourth, intituled, "An Act to amend the Representation of the People of Ireland," entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of in respect of the inhabitancy of houses of the yearly value of five pounds within such city [*or* town *or* borough].*

Christian Name and Surname of each Voter at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this City. [*or* Town *or* Borough] and Number of the House (if any), where the Porperty is situate.	Date of Registry.

(Signed) *A. B.* { Clerk of the Peace of [*or* acting in or for] the city [*or* town *or* borough] of

NOTE.—This Form to be used in the year 1850 and the seven next succeeding years, except 1851.

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No. 2.

The list for the year 18 , of all persons (not being on the Freeman's Roll) registered within eight years previous to the [first day of December] next, under the provisions of an Act passed in the session of Parliament holden in the second and third years of the reign of King William the Fourth, intituled, "An Act to amend the Representation of the People of Ireland," entitled to vote in the election of a member [*or* members] for the city [*or* town or borough] of in respect of any other right (other than the inhabitancy of a house of the yearly value of five pounds or the occupation of premises of the clear yearly value of not less than ten pounds, or other than any qualification requiring the voter to be or to have been in actual occupation), save that forty shilling freeholders (if any registered) are to be inserted in this list.*

Christian Name and Surname of each Voter at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like Place in this City [*or* Town *or* Borough], and Number of the House (if any), where the Property is situate (when the Right of voting depends on Property).	Date of Registry.

(Signed) *A. B.* { Clerk of the Peace of [*or* acting in or for] the city [*or* town *or* borough] of .

* NOTE.—This Form to be used in the year 1850 and the seven succeeding years, except 1851.

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No. 3.

List, for the year 18 , of persons on the Freeman's Roll for the city [*or* town *or* borough] of registered within eight years previous to the [first day of December] next, under the provisions of an Act passed in the session of Parliament holden in the second and third years of the reign of King William the Fourth, intituled, "An Act to amend the Representation of the People of Ireland," entitled to vote in the election of a member [*or* members] for the said city [*or* town *or* borough.*

Christian and Surname of each Person on the Freeman's Roll at full length.	Place of Abode.	Date of Registry.

(Signed) *A. B.* { Clerk of the Peace of [*or* acting in or for] the city [*or* town *or* borough] of .

* This Form to be used in the year 1850 and the seven next succeeding years, except 1851.

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No. 4.

*Precept of the Clerk of the Peace to the Town Clerk.**

City [*or* town *or* borough] of in the county of to wit.

To the Town Clerk [*or* Clerk of the Town Commissioners, *&c. &c., as the case may be*] of the city [*or* of *or* in the town *or* borough of .

In pursuance of the provisions of the Act of Parliament of the 13th Victoria, c. , I require your attention to the following instructions:

On or before the [fifth day of June] you are to publish a notice, signed by you, according to the Form marked No. 5., among the printed Forms herewith sent.

The manner in which you are required to publish that notice, and also the lists hereinafter mentioned, is as follows; (that is to say,) you are to fix one of the printed copies (each copy being first signed by you) in some public and conspicuous situation on the outside of the outer door or on the outer wall near the door of the town hall, or if there should be no town hall, then in some public and conspicuous situation in this city [*or* town *or* borough], heretofore used for posting public notices, and it must remain there during a period including two Sundays at least.

On or before the [twentieth day of July] you are to make out alphabetical lists of all persons who shall be entitled to vote in the election of a member [*or* members] to serve in Parliament for this city [*or* town *or* borough]; that is to say, first, an alphabetical list, according to the Form (numbered 7) herewith sent,

* Note.—When there is no Town Clerk, the Clerk of the Commissioners (if any) elected in such city, town, or borough under the Act of the 9 Geo. IV. c. 82, or if there be no such Commissioners the then Collector of Grand Jury Cess is to be substituted, and is to act throughout in like manner as the Town Clerk (if any) should act.

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of all such male persons of full age as shall appear on the list transmitted to you by the Clerk of the Union in this year as the rated occupier or one of several rated joint occupiers of lands, tenements, or hereditaments situate within this city [town *or* borough] of the net annual value of eight pounds or upwards (or, in the case of joint occupiers, eight pounds or upwards for each such joint occupier,) and also of all persons (if any) who shall be then entitled to vote in the election of a member [*or* members] to serve in Parliament for such city [town *or* borough] in respect of the inhabitancy of houses; and another alphabetical list, according to the Form (numbered 8.) herewith sent, of all other persons (except persons on the Freeman's roll) who shall be entitled to vote in the election of such city [town *or* borough] by virtue of any other right whatsoever; and a third alphabetical list, according to the Form (numbered 9.) herewith sent, of all persons on the Freeman's roll who shall be entitled to vote in the election of such city [town *or* borough].

* [And you are also in the year one thousand eight hundred and fifty, and in each of the next succeeding seven years, except the year one thousand eight hundred and fifty-one, to insert in the aforesaid lists respectively all persons on the several alphabetical Lists No. 1., No. 2., and No. 3., herewith sent, to whom no objection may apply in respect of the non-payment of poor rates by any person on the list No. 1., or to whom no objection may apply in respect of non-residence by any person on the lists Nos. 2. and 3., together with the dates of their respective Registries under the Act of the second and third years of the reign of King William the Fourth, chapter 88., each in the proper list, according to the nature of his franchise (except all persons registered under the said Act in respect of the occupation of premises of the clear yearly value of not less than ten pounds situate within such city [town *or* borough])].

You are to omit from the first-mentioned list (marked No. 7)

* This following paragraph is to be inserted only in the year 1850 and each of the next succeeding seven years, except 1851.

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all such persons as shall not have paid, on or before the [first day of July] then next preceding, all poor rates payable by them severally, if any, in respect of such premises previously to the [first day of January] then next preceding; and you are in like manner to omit from the two last-mentioned lists (marked No. 8. and No. 9.) all such forty shilling freeholders, freemen, and others, entitled to vote by any right to the enjoyment of which residence is by law required, as shall not have resided for six calendar months next previous to the said [twentieth day of July] in this year within the said city [town *or* borough], or within seven statute miles of the usual place of election therein.

You are to add, with a stamp or in writing, the word "objected" to the name of any person inserted in such first-mentioned list (marked No. 7.), in case you shall have reasonable cause to believe such person not to be, or to have ceased to be, occupier or joint occupier of the premises in respect of which he shall have been rated, or not to have been such occupier or joint occupier for the space of twelve calendar months next previous to such [twentieth day of July]; and you are in every succeeding year after the year one thousand eight hundred and fifty-one to add in like manner the word "objected" to the name of every person whose qualification appearing on the copy of Register shall be the occupation or joint occupation of premises of the net annual value of eight pounds or upwards, or (in the case of joint occupation) eight pounds or upwards, for each such joint occupier, and who shall not appear in the list transmitted to you by the Clerk of such Union in such year; and you are also in every year to add in like manner the word "objected" or "dead" before the name of any person contained in such lists of voters or copy of Register delivered to you by the Clerk of the Peace as aforesaid, if you have reasonable cause to believe that such person is not entitled to have his name on the Register then next to be made, or is dead, as the case may be. In each of the said lists Nos. 7., 8., and 9., to be made out by you, the Christian name and surname of every such person must be written at full length, together with the place of

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his abode, and the nature of his qualification; and where any person shall be entitled to vote in respect of any property in lands, tenements, or hereditaments, then the name of the street, lane, and the number of the house (if any), or other description of the place where such property may be situate, and shall be specified in the list; and you shall sign such lists marked Nos. 7., 8., and 9., and shall forthwith cause a sufficient number of copies of the said lists, with all such marginal additions, to be written or printed.

You are to publish, in the manner hereinbefore mentioned with regard to notices, copies of the said lists, Nos. 7., 8., and 9., signed by you, on or before the [twenty-second day of July] in this year, and you are likewise to keep a copy of each of the said lists, signed by you, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days after such lists shall have been so published, and you are to deliver copies thereof to all persons applying for the same, on payment of a price for each copy after the rate contained in the Table (numbered 1.) herewith sent.

You are, on or before the [eleventh day of August], to make out and to publish, in manner aforesaid, lists according to the Forms numbered 11, 12, and 13, containing the name of every person who shall have given or have caused to be given to you, on or before the [fourth day of August] his claim to have his name inserted in any list; but if you have reasonable cause to believe that any person whose name shall appear in such lists of claimants is not entitled to have his name upon the Register then next to be made, you are to add in like manner the word "objected" before the name of every such person on the margin of such list of claimants; you are also to make out other lists, according to the Forms numbered 16, 17, and 18, containing the name of every person against whom a notice of objection shall have been given to you, on or before the [twentieth day o-

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August], as not being entitled to have his name retained in any list for your city [*or* town *or* borough]; and on or before the [twenty-second day of August] you are to sign and publish each of such last-mentioned lists on some public and conspicuous situation on the outside of the outer door or on the outer wall near the door of the town hall, or if there be no town hall, then on such other place as aforesaid in the said manner as before mentioned with regard to the notices.

You are to keep a copy of these lists, signed by you, and you are to allow the same, and also the notices of objection, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first fourteen days after the said lists shall have been published, and you are to deliver a copy of each of such lists to any person requiring the same, on the payment of a price for each copy after the rate contained in the Table marked Schedule (C.) No. 1., herewith sent.

If you shall find any such notice, list, or other document published by you as aforesaid to be destroyed, mutilated, effaced, or removed, you are forthwith to place another in its room to the same effect.

On or before the [twenty-fifth day of August] you are to deliver to me copies of the said lists of voters so made out by you, with the marginal additions as aforesaid, copies of the lists of claimants, and copies of the lists of persons objected to, so respectively made out and signed by you as aforesaid, together (in the year one thousand eight hundred and fifty-one) with the list of voters registered under the Act of the 2nd and 3rd of William the Fourth, chapter 88, and together (in every succeeding year) with the copy of the Register.

You are to attend the court to be holden for the revision of the list of voters for your city [*or* town *or* borough], of the time of holding which notice will be given; and at the opening of such court you are there to deliver to the Assistant Barrister [*or*

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Chairman of the sessions for the county, *or* Barrister, *as the case may be*], before whom the same shall be holden, the several lists made out by you, with the marginal additions as aforesaid, and signed by you, and the original notices of objection and the original notices of claims given to you, together with the list transmitted to you by the Clerk of the Union in this year.

Herein if you fail, you will be liable to the penalties in that case provided. Given under my hand this day of one thousand eight hundred and .

(Signed) *A. B.* { Clerk of the Peace of or acting in or for the city [*or* town *or* borough] of .

No. 5.

Notice to be given to the Town Clerk.

City [*or* town *or* borough] of in the county of , to wit.

I hereby give notice, That no person will be entitled to have his name inserted in any list of voters for this city [*or* town *or* borough] now about to be made in respect of the occupation of premises rated under the last rate for the relief of the destitute poor separately or together at a net annual value of eight pounds or upwards, or in the case of joint occupiers, eight pounds or upwards for each of such joint occupiers, or in respect of the inhabitancy of a house situate within this city [*or* town *or* borough], unless he shall pay, on or before the [first day of July] next, all the poor's rates which have become due from him (if any) in respect of such premises before the [first day of January] last past; and all such persons who omit to make such payments will be incapable of being upon the next Register of voters for this city [*or* town *or* borough].

Dated this day of June in the year one thousand eight hundred and .

(Signed) *A. B.* { Town Clerk for the city [*or* town *or* borough] of .

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No. 6.

Clerk of Union's List, for the Year 18 , of male persons rated in the last rate under the Acts for the Relief of the destitute Poor as the occupiers of lands, tenements, or hereditaments rated separately or together at the net annual value of eight pounds or upwards, and situate in the city [*or* town *or* borough] of , being part of the Poor Law Union of (or, in the case of joint occupiers, rated at a net annual value of such an amount as, when divided by the number of such occupiers, would give to each a net annual value of eight pounds or upwards); excluding from this List all such occupiers as have not, on or before the [first day of July] in this year, paid all poor rates, if any, which have become payable by them respectively out of such respective premises previously to the [first day of January] last.

Christian Name and Surname at full length.	Place of Abode.	Name or Description of Premises rated.	Rated Value of Premises.

I certify that this is a correct list. Dated this day of 18 .

(Signed) *A. B.*,
Clerk of the Union of .

Verified on oath by the said *A. B.* before me, a Justice of the Peace for the of .

(Signed) *C. D.*, Justice.

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No. 7.

List of male persons entitled to vote in the election of a member [*or* members] to serve in Parliament for the city [*or* town *or* borough] of as being persons rated in the last rate under the Acts for the Relief the destitute Poor as the occupiers of lands, tenements, and hereditaments rated separately or together at the net annual value of eight pounds or upwards, and situate in the city [*or* town *or* borough] of being part of the Poor Law Union of (or, in the case of joint occupiers rated at a net annual value of such an amount as, when divided by the number of such occupiers, would give to each a net annual value of eight pounds or upwards), and also of persons (if any) entitled to vote as aforesaid in respect of the inhabitancy of houses of the yearly value of five pounds, all which persons aforesaid have, on or before the [first day of July] in this year, paid all poor rates, if any, which have become payable by them respectively out of such respective premises previously to the [first day of January] last.

Margin for entering Town Clerk's Objections.	Christian Name and Surname at full length.	Place of Abode.	Nature of Qualification, whether rated, Occupier or Inhabitant Householder.	Date of Registry (if any) under 2 & 3 Wm. IV. c. 88, in case of Inhabitant Householders.	Name or Description of Premises rated. Street, Lane, or other like Place in this City [*or* Town *or* Borough], and Number of the House (if any), where the Property is situate.	Rated Value of Premises.

I certify that this is a correct list. Dated this day of July 18 .

(Signed) *A. B.* { Town Clerk for the city [*or* town *or* borough] of .

NOTE.—The date of registry under 2 & 3 W. IV. c. 88, is to be inserted only in the year one thousand eight hundred and fifty and the next succeeding seven years, except one thousand eight hundred and fifty-one, and only opposite to the names of persons included in the list No. 1., delivered to the Town Clerk by the Clerk of the Peace.

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No. 8.

The List, for the year 18 , of all persons (not being on the Freeman's Roll) entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of in respect of any right whatsoever (other than and except the inhabitancy of a house of the yearly value of five pounds, or the occupation as rated occupiers of premises of the rated net annual value of eight pounds or upwards).

Margin for entering Town Clerk's Objections.	Christian Name and Surname of each Voter at full length.	Place of Abode.	Nature of Qualification.	Date of Registry under 2 & 3 W. IV. c. 88 (if any).	Street, Lane, or other Place in this City [*or* Town *or* Borough] where the Property is situate, and Number of the House (if any). [When the Right of voting depends on Property.]

NOTE.—The date of registry under 2 & 3 W. IV. c. 88, is to be inserted only in the year one thousand eight hundred and fifty and the next succeeding seven years, except one thousand eight hundred and fifty-one, and only opposite to the names of persons included in the List No. 2., delivered to the Town Clerk by the Clerk of the Peace.

(Signed) *A. B.* { Town Clerk for the city [*or* town *or* borough] of

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No. 9.

The list, for the year 18 , of persons on the Freeman's Roll for the city [*or* town *or* borough] of entitled to vote in the election of a member [*or* members] for the said city [*or* town *or* borough].

Column for entering Town Clerk's Objections.	Christian Name and Surname of each Freeman at full length.	Date of Registry under 2 & 3 W. IV. c. 88. (if any).	Place of his Abode.

(Signed) *A. B.* { Town Clerk of the city [*or* town *or* borough] of .

NOTE.—The date of registry under 2 & 3 W. IV. c. 88, is to be inserted only in the year one thousand eight hundred and fifty and the next succeeding seven years, except one thousand eight hundred and fifty-one, and only opposite to the names of persons included in the list No. 3., delivered to the Town Clerk by the Clerk of the Peace.

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No. 10.

Notice of Claim.

To the Town Clerk of the city [*or* town *or* borough] of .

I hereby give you notice, That I claim to have my name inserted in the List (No. .) made by you of persons entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of and that the particulars of my qualification and place of abode are stated in the columns below [and that I claim by virtue of registration under the 2 & 3 W. 4. c. 88, [*if the fact be so*] on the day of in the year .

Dated the day of one thousand eight hundred .

Christian Name and Surname of the Claimant at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other Place in the City [*or* Town *or* Borough] where the Property is situate, and Number of the House (if any). [When the Right depends on Property].

(Signed) *A. B.*

NOTE.—If more than one list of voters, the notice of claim should specify the list to which the claim refers.

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No. 11.

List, for the Year 18 , *of Claimants, to be published by the Town Clerk.*

The following persons claim to have their names inserted in the list of persons entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of
in respect of being rated in the last rate as occupiers of lands, tenements, or hereditaments rated separately or together at the net annual value of eight pounds or upwards, within the said city [*or* town *or* borough], or in respect of the inhabitancy of houses of the yearly value of five pounds within the said city [*or* town *or* borough].

Column for entering Town Clerk's Objections.	Christian Name and Surname of each Claimant at full Length.	Place of Abode.	Nature of Qualification.	Date of Registration (if any) under 2 & 3 W. IV. c. 88. [*To be inserted only in the year* 1850, *and the next Seven Years, except* 1851.]	Street, Lane, or other like Place in this City [*or* Borough], where the Property is situate, and Number of the House (if any). [When the Right depends on Property].

(Signed) *A. B.*,
Town Clerk of the city [*or* town *or* borough] of .

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No. 12.

List, for the Year 18 , *of Claimants, to be published by the Town Clerk.*

The following persons claim to have their names inserted in the list of persons (not being on the Freeman's Roll) entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of in respect of any rights whatsoever (other than and except the inhabitancy of a house of the yearly value of five pounds, or the occupation as rated occupiers of premises of the rated net annual value of eight pounds or upwards).

Column for entering Town Clerk's Objections.	Christian Name and Surname of each Claimant at full length.	Place of Abode.	Date of Registration (if any) under 2 & 3 W. IV. c. 88. [*To be inserted only in the Year* 1850, *and in each of the next Seven Years, except* 1851.]	Nature of Qualification.	Street, Lane, or other Place in this City [Town *or* Borough] where the Property is situate, and Number of House (if any). [When the Right depends on Property].

(Signed) *A. B.*

Town Clerk of the city [*or* town *or* borough] of .

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No. 13.

List, for the Year 18 , *of Claimants, to be published by the Town Clerk.*

The following persons claim to have their names inserted in the list of persons on the Freeman's Roll for the city [*or* town *or* borough] of entitled to vote in the election of a member [*or* members] for the said city [*or* town *or* borough].

Column for entering Town Clerk's Objections.	Christian Name and Surname of each Person, as in the Claim.	Date of Registration (if any) under 2 & 3 Wm. IV. c. 88. [*To be inserted only in the year* 1850, *and the next Seven Years, except* 1851.]	Place of his Abode.

(Signed) *A. B.*
Town Clerk of the city [*or* town *or* borough of .

No. 14.

Notice of Objection.

To the Town Clerk of the city [*or* town *or* borough] of .
I hereby give you notice, That I object to the name of being retained in the list (No. .) of persons entitled

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to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of .

Dated this day of .

(Signed) *A. B.* of [*place of abode*], on the list of voters for the city [*or* town *or* borough] of .

NOTE.—If more than one list of voters, the notice of objection should specify the list to which the objection refers; and if the list contains two or more persons of the same name, the notice should distinguish the person intended to be objected to; and if the person be registered under 2 & 3 W. IV. c. 88., the notice must so state.

No. 15.

Form of Notice of Objection to be given to Parties objected to.

To Mr. .

I hereby give you notice, That I object to your name being retained on the list (No. .) of persons entitled to vote in the election of members [*or* a member] for the city [*or* town *or* borough] of .

Dated this day of .

(Signed) *A. B.* of [*place of abode*], on the list of voters for the city [*or* town *or* borough] of .

NOTE.—If more than one list of voters, the notice of objection should specify the list to which the objection refers; and if the list contains two or more persons of the same name, the notice should distinguish the person intended to be objected to; and if the person be registered under 2 & 3 W. IV. c. 88., the notice must so state.

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No. 16.

List, for the Year 18 , *of Persons objected to, to be published by the Town Clerk.*

The following persons have been objected to as not being entitled to have their names retained in the list of persons qualified to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of in respect of being rated in the last rate as occupiers of lands, tenements, or hereditaments, rated separately or together at a net annual value of eight pounds or upwards within the said city [*or* town *or* borough], or in respect of the inhabitancy of houses of the yearly value of five pounds within the said city [*or* town *or* borough].

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification (if registered under 2 & 3 Wm. IV. c. 88. so state).	Street, Lane, or other Place in the Parish where the Property is situate, and Number of the House (if any).

(Signed) *A.B.*

Town Clerk of the city [*or* town *or* borough of .

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No. 17.

List, for the Year 18 , *of Persons objected to, to be published by the Town Clerk.*

The following persons have been objected to as not being entitled to have their names retained in the list of persons (not being on the Freeman's Roll) qualified to vote in the election of a member [*or* Members] for the city [*or* town *or* borough] of by virtue of any rights whatsoever (other than and except the inhabitancy of houses of the value of five pounds, or the occupation as rated occupiers of premises of the rated net annual value of eight pounds or upwards).

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification (if registered under 2 & 3 W. IV. c. 88. so state).	Street, Lane, or other Place in the City [*or* Town *or* Borough] where the Property is situate, and Number of the House (if any). [When the Right depends on Property].

(Signed) *A.B.*

Town Clerk of the City [*or* town *or* borough] of .

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No. 18.

List, for the Year 18 , *of Persons objected to, to be published by the Town Clerk.*

The following persons have been objected to as not being entitled to have their names retained on the list of Persons on the Freeman's Roll, for the city [*or* town *or* borough] of entitled to vote in the election of a member [*or* members] for the said city [*or* town *or* borough].

Christian and Surname of each Person objected to.	If registered under 2 & 3 W. IV. c. 88. so state.	Place of Abode.

(Signed) *A.B*

Town Clerk of the said city [*or* town *or* borough].

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SCHEDULE (C.)

No. 1.

Table of Rates or Payment to be demanded and paid for any List or Copy of a List (other than a Register), where a Payment is required and authorized by this Act.

For any List or Copy of a List containing any number of Persons' Names :—

	s.	*d.*
Not exceeding 100 Names, ...	0	6
Exceeding 100 and not exceeding 200, .	1	0
Exceeding 200 and not exceeding 300, .	1	6
Exceeding 300 and not exceeding 400, .	2	0
Exceeding 400, ...	2	6

No. 2.

Table of Rates of Payment to be demanded and paid for any Copy of a Register or Part of any Register, where a Payment is required and authorized by this Act.

For every Copy of any Register or any part of any Register containing any number of Persons' Names :—

	s.	*d.*
Not exceeding 1000 Names, ...	1	0
Exceeding 1000 and not exceeding 3000, .	2	6
Exceeding 3000 and not exceeding 6000,	5	0
Exceeding 6000 and not exceeding 9000,	7	6
Exceeding 9000, ...	10	0

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THE REPRESENTATION OF THE PEOPLE (IRELAND) ACT, 1868.

31 & 32 VICT. CAP. XLIX.

An Act to amend the Representation of the People in Ireland. [13*th July*, 1868.]

WHEREAS it is expedient to amend the laws relating to the Representation of the People in *Ireland*:

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

I. This Act may be cited for all purposes as "The Representation of the People (Ireland) Act, 1868." Short title.

II. This Act shall apply to Ireland only, but shall not in anywise affect the election of members to serve in Parliament for the Borough of the University of *Dublin*. Application of Act.

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PART I.

FRANCHISES.

Occupation franchise in cities, towns, and boroughs.

III. From and after the passing of this Act the fifth section of the Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, and all other sections or parts of the same Act which relate to or affect the franchise conferred by the said fifth section, or the registration of voters upon whom it is conferred, and in which are the words "eight pounds" in reference to the said franchise, shall be read and construed as if the words "more than four pounds" had been used and were substituted in the said fifth and other sections instead of and for the words "eight pounds," so and in such manner that, subject to all the provisions of the said Act, the occupation of lands, tenements, or hereditaments rated at the net annual value of more than four pounds shall be as effectual to qualify any man to be registered as a voter, and when registered to vote at any election of members to serve in Parliament for any city, town, or borough in *Ireland* to be held after the passing of this Act as the occupation of lands, tenements, and hereditaments rated at the net annual value of eight pounds and upwards was before the passing of this Act; and in all provisions relating to such occupation, registration, or voting, and in all lists, returns, precepts, notices, or other forms made or issued in pursuance of the provisions of the Registration Acts, the words "more than four pounds" shall, when necessary, be substituted for the words "eight pounds."

Lodger franchise for voters in cities, towns, and boroughs.

IV. Every man shall be entitled to be registered as a voter, and when registered to vote for a member or

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members to serve in Parliament for a city, town, or borough, who is qualified as follows; (that is to say,)

1. Is of full age, and not subject to any legal incapacity; and
2. As a lodger, has occupied in such city, town, or borough, separately and as sole tenant for the twelve months preceding the twentieth day of July in any year, the same lodgings, such lodgings being part of one and the same dwelling-house, and of a clear yearly value, if let unfurnished, of ten pounds or upwards; and
3. Has resided in such lodgings during the twelve months immediately preceding the twentieth day of July, and has claimed to be registered as a voter at the next ensuing registration of voters.

Registration of persons occupying lodgings.

V. The claim of every person desirous of being registered as a voter for a member or members to serve for any city, town, or borough, in respect of the occupation of lodgings shall be in the Form numbered 1. in Schedule (D.) to this Act annexed, or to the like effect, and shall have annexed thereto a declaration in Form and be certified in manner in the said Schedule mentioned, or as near thereto as circumstances admit, and every such claim shall, after the twentieth day of July, and on or before the fourth day of August in any year, be delivered to the Town Clerk in the city, town, or borough in which such lodgings shall be situate, and the particulars of such claim shall be duly published by such Town Clerk on or before the eleventh day of August next ensuing, in a separate list, according to the Form numbered 2. in the said Schedule (D.); and all the provisions of the Registration Acts with respect to the publishing of lists of claimants and to the delivery of copies

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thereof to persons requiring the same by the said Town Clerk shall apply to every such claim and list, and all the provisions of the same Acts with respect to the proof of claims and to objections thereto, and to the hearing thereof shall, so far as the same are applicable, apply to claims and objections and to the hearing thereof under this section.

As to joint occupation in counties.

VI. In a county where premises are in the joint occupation of several persons as owners or tenants, and the aggregate rateable value of such premises is such as would, if divided amongst the several occupiers, so far as the value is concerned, confer on each of them a vote, then each of such joint occupiers shall, if otherwise qualified, be entitled to be registered as a voter, and when registered to vote at an election for the county: Provided always, that not more than two persons, being such joint occupiers, shall be entitled to be registered in respect of such premises, unless they shall have derived the same by descent, succession, marriage, marriage settlement, or devise, or unless they shall be *bonâ fide* engaged as partners carrying on trade or business thereon.

Provisions as to premises occupied in succession in counties.

VII. The premises in respect of the occupation of which any person shall be entitled to be registered in any year, and to vote in the election for any county, shall not be required to be the same premises, but may be different premises occupied in immediate succession by such person during the twelve calendar months next previous to the twentieth day of July in such year, such person having paid on or before the first day of July in such year all the poor's rates which shall, previously to the first day of January in such year, have become payable from him in respect of all such premises so occupied by him in succession.

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VIII. No elector who, within six months before or during any election for any county, city, town, or borough, shall have been retained, hired, or employed for all or any of the purposes of the election for reward by or on behalf of any candidate at such election as agent, canvasser, clerk, messenger, or in any other like employment, shall be entitled to vote at such election, and if he shall so vote, he shall be guilty of a misdemeanor.

No elector who has been employed for reward within six months of an election to be entitled to vote.

PART II.

IX. Where at the time of the passing of this Act the boundary of any municipal borough does not coincide with the parliamentary borough, all that part of such borough situate beyond the limits of the parliamentary borough, but within the municipal limits, shall form part of the borough for all purposes connected with the election of a member or members to serve in Parliament for said borough.

Boundaries of Parliamentary boroughs.

PART III.

MISCELLANEOUS.

X. At every contested election for any county, city, town, or borough, unless some building or place belonging to the county, city, town, or borough is provided for that purpose, the returning officer shall, whenever it is practicable so to do, instead of erecting a booth, hire a building or room for the purpose of taking the poll:

Rooms for taking polls to be hired wherever they can be obtained.

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Where in any place there is any room the expense of maintaining which is payable out of any rates levied in such place, such room may, with the consent of the person or corporation having the control over the same, be used for the purpose of taking the poll at such place.

Members holding offices of profit from the Crown, as in Schedule (E), not to vacate their seats on acceptance of another office.

XI. Whereas it is expedient to amend the law relating to offices of profit, the acceptance of which from the Crown vacates the seats of members accepting the same, but does not render them incapable of being re-elected: Be it enacted, that where a person has been returned as a member to serve in Parliament since the acceptance by him from the Crown of any office described in Schedule (E.) to this Act annexed, the subsequent acceptance by him from the Crown of any other office or offices described in such Schedule, in lieu of and in immediate succession the one to the other, shall not vacate his seat.

Payment of expenses of conveying voters in boroughs to the poll illegal.

XII. It shall not be lawful for any candidate, or any one on his behalf, at any election for any city, town, or borough, except the several boroughs of the county of the city of Cork, county of the town of Galway, and county of the city of Limerick, to pay any money on account of the conveyance of any voter to the poll, either to the voter himself or to any other person; and if any such candidate, or any person on his behalf, shall pay any money on account of the conveyance of any voter to the poll, such payment shall be deemed to be an illegal payment within the meaning of "The Corrupt Practices Prevention Act, 1854."

Returning officer, &c., acting as agent guilty of misdemeanor.

XIII. No returning officer for any county, city, town or borough, nor his deputy, nor any partner or clerk of either of them, shall act as agent for any candidate in the management or conduct of his election as a member

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to serve in Parliament for such county, city, town, or borough; and if any returning officer, his deputy, the partner or clerk of either of them, shall so act, he shall be guilty of a misdemeanor.

Notice of claim to vote in cities, &c., to be signed by claimant.

XIV. Every notice of claim to be registered as a voter for any city, town, or borough in Ireland shall be signed by the person making such claim.

Sect. 72 of 1 & 2 Vict. c. 56, and sect. 5 of 6 & 7 Vict. c. 92, repealed.

XV. From and after the passing of this Act section seventy-two of the Act of the first and second years of the reign of Her present Majesty, chapter fifty-six, and section five of the Act of the sixth and seventh years of the reign of Her present Majesty, chapter ninety-two, shall be and the same are hereby respectively repealed.

General saving.

XVI. The franchises conferred by this Act shall be in addition to and not in substitution for any existing franchises, but so that no person shall be entitled to vote for the same place in respect of more than one qualification; and, subject to the provisions of this Act, all laws, customs, and enactments now in force conferring any right to vote, or otherwise relating to the representation of the people in Ireland, and the registration of persons entitled to vote, shall remain in full force, and shall apply, as nearly as circumstances admit, to any person hereby authorized to vote, and to the franchises hereby conferred.

Precepts, &c., to be made conformable to this Act.

XVII. All precepts, instruments, proceedings, and notices relating to the registration of voters shall be framed and expressed in such manner and form as may be necessary for the carrying the provisions of this Act into effect.

Construction of Act.

XVIII. This Act, so far as is consistent with the tenor thereof, shall be construed as one with the enactments for the time being in force relating to the repre-

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sentation of the people in Ireland, and with the Registration Acts.

Where value of premises in certain boroughs is not more than four pounds, the rate is to be made on the immediate lessors.

XIX. From and after the passing of this Act, section one hundred and sixteen of the said Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, and so far as regards poor rate in respect of lands, tenements, and hereditaments of which the net annual value shall be more than four pounds, the sixty-third section of the Act of the twelfth and thirteenth years of the reign of Her present Majesty, chapter ninety-one, shall be and the same are hereby repealed; and whenever the net annual value of the whole of the rateable hereditaments in any electoral division situate wholly or in part in any of the boroughs of Dublin, Cork, Limerick, Belfast, or Waterford, occupied by any person or persons having no greater estate or interest therein than a tenancy from year to year, or holding under a lease or agreement, leases or agreements, made after the twenty-fourth day of August, one thousand eight hundred and forty-three, shall not exceed four pounds, the poor rate in respect of such property shall, after the passing of this Act, be made on the immediate lessor or lessors of such person or persons; and if at the time of making any such rate the name of the immediate lessor be not accurately known to the persons making the rate, it shall be sufficient to describe him therein as the "immediate lessor," with or without any name or further addition, and such rate shall be held to be duly made on him by such description, and shall be recoverable from him accordingly, notwithstanding any error or defect in his name or description, or the entire omission of his name therein.

In certain boroughs occupiers of lands, &c.,

XX. In the boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, every man who would be entitled to be registered at the next registration of parliamentary

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voters, under the provisions of this Act, in respect of the occupation of lands, tenements, or hereditaments (for which the owner or immediate lessor at the time of the passing of this Act is liable to be rated to the poor rate instead of the occupier), if he had been rated to the poor rate in respect of the said premises and had duly paid the said poor rate, shall, notwithstanding that he has not been so rated or paid any rate, be entitled to be registered at the next registration of parliamentary voters.

owners now rated shall be entitled to be registered.

XXI. From and after the passing of this Act the clerk of each poor law union comprising any part or parts of the city of Dublin shall exclude from the list or lists to be made by him, in pursuance of the thirty-second section of the said Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, every person who shall be rated as the occupier of any lands, tenements, or hereditaments situate within the municipal district of Dublin, as defined by an Act passed in the third year of the reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, and the Collector General of Rates for the City of Dublin shall, on or before the eighth day of July in every year, make out and transmit to the Town Clerk of the City of Dublin a list of every man of full age who shall be rated in the books of the said Collector General of Rates for the said city in the then last rate made under the Act of the twelfth and thirteenth years of the reign of Her present Majesty, intituled *An Act to provide for the Collection of Rates in the City of* Dublin, as the occupier of any lands, tenements, or hereditaments situated within the municipal district of Dublin, as defined as aforesaid, of a net annual value of more than four pounds, and of every person who shall be rated in the said books in the then last rate made as aforesaid jointly with any other person or persons as the occupiers

Collector General of Rates to make lists of voters for the city of Dublin.

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of any lands, tenements, or hereditaments situated within the said municipal district of a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net annual value of more than four pounds; excluding nevertheless from such list every such occupier and every such joint occupier who shall not on or before the first day of July in such year have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously to the first day of January then last; and such lists shall be in the form and shall contain the particulars mentioned on Form No. 6 in the Schedule B. annexed to the said Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine; and such list shall be signed by the said Collector General, and shall be verified by him as true, according to the best of his belief, by an oath or declaration to be made by him before some justice of the peace acting in and for the city of Dublin, and which oath or declaration any such justice is hereby authorized and required to take.

Certain provisions of 13 & 14 Vict. c. 69, to apply to Collector General of Rates.

XXII. The provisions of the sixty-sixth and sixty-seventh sections of the said Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, shall apply to the said Collector General of Rates as fully as the same apply to the clerk of any Union.

Remuneration of Collector General of Rates.

XXIII. The guardians of the poor of each union comprising any parts of the city of Dublin shall, by an order, make such annual allowance out of the rates to the said Collector General of Rates as a compensation for the duty by this Act imposed upon him as the said guardians shall think proper; but no such order shall be acted on, or any payment made thereunder, until the same shall be approved of by the Poor Law Commissioners, and the payments sanctioned by them.

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Town Clerk.

XXIV. For the purposes of the Registration Acts and of this Act, in all towns under the Towns Improvement (*Ireland*) Act, 1854, the clerk of the Town Commissioners shall be the Town Clerk; and in all towns under the Statute passed in the ninth year of the reign of King *George* the Fourth, chapter eighty-two, the clerk of the Paving, Lighting, and Cleansing Commissioners, and in towns under Improvement or Municipal Commissioners, the clerk to such Commissioners shall be the Town Clerk; and in towns under none of the authorities before mentioned the collector of the grand jury cess shall act as Town Clerk.

Interpretation of terms:

XXV. The following terms shall in this Act have the meanings herein-after assigned to them, unless there is something in the context repugnant to such construction; (that is to say,)

"Month" shall mean calendar month: — "Month:"

"Member" shall include a knight of the shire: — "Member:"

The word "county" shall include a riding or division of a county: — "County:"

The words "county of a city" or "county of a town," or "city" or "town" or "borough," respectively, shall include all places situate within the parliamentary boundaries of such city or town or borough, and none other: — "County of a city," "County of a town:"

The words "city" or "town" shall respectively include county of a city or county of a town: — "City," "Town:"

The "Registration Acts" shall mean the Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, and all other Acts or parts of Acts relating to the registration or qualification of persons entitled to vote at the election of members to serve in parliament for *Ireland*, as amended by this Act. — "Registration Acts."

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SCHEDULES TO THIS ACT.

SCHEDULE (D.)

FORM No. 1.

Claim of Lodger.

City, town, *or* borough of .

To the Town Clerk of the city, town, *or* borough of .

I hereby claim to be inserted in the List of Voters in respect of the occupation of the under-mentioned lodgings, and the particulars of my qualification are stated in the columns below.

Christian Name and Surname at full length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

I, the above-named hereby declare that I have been during the twelve months immediately preceding the twentieth day of July in this year the occupier as sole tenant of the above-mentioned lodgings, and that I have resided therein during the twelve months immediately preceding the

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said twentieth day of July, and that such lodgings are of a clear yearly value, if let unfurnished, of ten pounds or upwards.

Dated the day of

Signature of claimant . . .

Witness to the Signature of the said }
And I certify my belief in the accuracy of the above claim. . . . . }

Name of witness. . . . . .

Residence and calling . . . . .

[This claim must bear date the twenty-first day of July, or some day subsequent thereto, and must be delivered to the Town Clerk on or before the fourth day of August.]

FORM No. 2.

List of Claimants in respect of Lodgings to be published by the Town Clerk.

The following Persons claim to have their names inserted in the List of Persons entitled to vote in the election of a member [*or* members] for the city, town, *or* borough of .

Christian Name and Surname of each Claimant at full Length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

(Signed) *A. B.*, Town Clerk.

n

SCHEDULE (E.)

Offices of Profit referred to in this Act.

Lord High Treasurer.

Commissioner for executing the Offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland.

President of the Privy Council.

Vice-President of the Committee of Council for Education.

Comptroller of Her Majesty's Household.

Treasurer of Her Majesty's Household.

Vice-Chamberlain of Her Majesty's Household.

Equerry or Groom in Waiting on Her Majesty.

Any principal Secretary of State.

Chancellor and Under Treasurer of her Majesty's Exchequer.

Paymaster General.

Postmaster General.

Lord High Admiral.

Commissioner for executing the Office of Lord High Admiral.

Commissioner of Her Majesty's Works and Public Buildings.

President of the Committee of Privy Council for Trade and Plantations.

Chief Secretary for Ireland.

Commissioner for administering the Laws for the Relief of the Poor in England.

Chancellor of the Duchy of Lancaster.

Judge Advocate General.

Attorney General for Ireland.

Solicitor General for Ireland.

Attorney General for England.

Solicitor General for England.

Lord Advocate for Scotland.

Solicitor General for Scotland.

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REGISTRATION AMENDMENT (IRELAND) ACT, 1868.

31 & 32 VICT. CAP. CXII.

An Act to amend the Law of Registration in Ireland.
[31*st July*, 1868.]

WHEREAS it is expedient to make special provision for the completion of the registration of Parliamentary electors during the present year, and to amend the law relating to the registration of Parliamentary electors in *Ireland:*

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

Definition of "Principal Act" (13 & 14 Vict. c. 69.)

I "Principal Act" in this Act means the Act passed in the Session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, intituled *An Act to amend the laws which regulate the qualification and registration of Parliamentary voters in* Ireland, *and to alter the law for rating immediate lessors*

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of premises to the poor rate in certain boroughs, as amended by "The Representation of the People (*Ireland*) Act, 1868."

Application of Act.

II. This Act shall apply to *Ireland* only.

Short title.

III. This Act may be cited for all purposes as the "Registration Amendment (*Ireland*) Act, 1868."

PART I.

REGISTRATION OF PARLIAMENTARY VOTERS IN 1868.

In Counties.

Precepts and lists to be printed, and Clerk of Peace to send his precept to clerks of unions, together with copies of Forms.

IV. For the purpose of forming a register in the year one thousand eight hundred and sixty-eight of all persons entitled to vote in the election of a knight or knights of the shire to serve in Parliament for the several counties in *Ireland* in respect of the franchises conferred by "The Representation of the People (Ireland) Act, 1868," the Clerk of the Peace for every county shall cause a sufficient number of forms of precepts, notices, and lists to be printed as required, according to the respective Forms (numbered 1, 2, 4,) in the Schedule (A.) and of the Table in the Schedule (C.) to this Act annexed, and shall also, on or before the fourth day of August, in the year one thousand eight hundred and sixty-eight, make and cause to be delivered to the clerk of every Poor Law Union situate wholly or in part within his county his precept according to the Form (numbered 1.) in the said Schedule (A.), and one or more of the Forms (numbered 2.) in the said Schedule.

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Clerks of Union to make out and transmit lists.

V. The clerk of each Poor Law Union wholly or in part within the limits of any county in *Ireland* shall, on or before the eighth day of August in the year one thousand eight hundred and sixty-eight, make out and transmit to the Clerk of the Peace of each county into which any part of such Union extends a list or return for each barony or division of a barony of such county situate within such Union of every male person of full age who shall be rated in the last rate made under the Acts for the more effectual relief of the destitute poor in *Ireland* jointly with any other person or persons as the occupier of any lands, tenements, or hereditaments situate in such barony or division of a barony, and within such Union, of a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net annual value of twelve pounds or upwards, and also a list or return of every male person of full age who shall have been rated in the said rate as the occupier of lands, tenements, or hereditaments of a net annual value of twelve pounds or upwards where the premises in respect of which he shall have been so rated shall not have been the same premises but different premises occupied in immediate succession, excluding nevertheless from such return every occupier who shall not, on or before the first day of July in the year one thousand eight hundred and sixty-eight, have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously to the first day of January then last, and such return shall be in the Form and shall contain the particulars mentioned in the Form (numbered 2.) in the schedule (A.) to this Act annexed; and each such clerk of a Union, after due inquiry, which he is required to make, with the assistance of the respective collector or collectors of poor rates for such respective barony or division of a

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barony (and which assistance such collector or collectors is and are hereby required to give for such purpose), shall and is hereby required to add by a stamp or in writing in the margin of such return the word "objected" to the name of any person inserted in such return in case such Clerk of the Union shall have reasonable cause to believe such person not to be or to have ceased to be an occupier as aforesaid of the lands, tenements, or hereditaments in respect of which he shall have been so rated, or not to have been such occupier as aforesaid during the whole period of twelve calendar months next previous to the twentieth day of July in the year one thousand eight hundred and sixty-eight; and such Clerk of the Union shall also in like manner add the word "objected" or "dead" before the name of any person in such return if such Clerk of the Union shall have reasonable cause to believe that such person is not entitled to have his name on the Register of Voters then next to be made for such county, or is dead, as the case may be; and such return shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct, according to the best of his belief, by an oath or declaration to be made or taken by him before some Justice of the Peace in and for the said county within which such lands are situate, or the county in which the Union Workhouse is situate, and which oath or declaration any such Justice is hereby authorized and required to administer or take.

Clerk of the Peace in year 1868 to publish special list, and to make objections.

VI. The Clerk of the Peace of every county in *Ireland* shall, on or before the seventeenth day of August in the year one thousand eight hundred and sixty-eight frame a special list of rated occupiers for every barony of such county, according to the Form (numbered 3.) in the said Schedule (A.) to this Act annexed, of every such male

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person of full age as shall appear on the return or the returns as aforesaid transmitted to him by the Clerk of the Union, or (in case of a barony being situate in more than one Union) by the clerks of such Unions, together with the marginal objections added by the Clerk of the Union to the names of any persons included in such special list; and such Clerk of the Peace shall also add, by a stamp or in writing, the word "objected" or "dead" in the margin of the said list, if such Clerk of the Peace shall, after due inquiry (which he is hereby required to make by himself or a sufficient deputy, and having regard also to and inserting any objections to the name of any such person entered in the said Clerk of the Union's return), have reasonable cause to believe that such person is not entitled to have his name on the Register next to be made, or is dead, as the case may be; and the Clerk of the Peace shall cause a sufficient number of copies of such list, with all such marginal additions as aforesaid, to be written or printed, and shall, on or before the said seventeenth day of August, sign and publish the same in such respective barony, and shall likewise keep at some police station or other house within such respective barony (giving due notice of such police station or house at the time last aforesaid) a copy of such list, with all the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sundays, during the first four days after the same shall have been published, and shall deliver written or printed copies of such list, signed by him, to all persons applying for the same, on payment of a price for each copy after the rate mentioned in the said Schedule (C.) to this Act annexed.

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Clerks of Peace to give notice requiring voters to claim.

VII. The Clerk of the Peace of every county in Ireland shall, on or before the seventeenth day of August, in the year one thousand eight hundred and sixty-eight, publish a notice in each barony according to the form (numbered 4.) in the said Schedule (A.), having first signed the same, requiring all persons entitled to be inserted in the Register and vote in the election of a knight or knights of the shire to serve in Parliament in respect of the franchises conferred by "The Representation of the People (*Ireland*) Act, 1868," who shall not be upon the said special list for such barony of voters under this Act, an who are respectively desirous to have their names inserted in the Register about to be made under this Act, to deliver or send to him at his office, on or before the twentieth day of August in the year one thousand eight hundred and sixty-eight, a notice in writing, by them signed, of their claim to vote as aforesaid.

Clerks of Peace to prepare lists of claimants, make objections, &c.

VIII. The Clerk of the Peace of every county in Ireland shall, on or before the twenty-fourth day of August, in the year one thousand eight hundred and sixty-eight, make out, according to the Form (numbered 6.) in the said Schedule (A.), a special list in alphabetical order for each barony of all persons who on or before the twentieth day of August in the said year shall have claimed as aforesaid for such barony; and in every such list the Christian name and Surname of every such claimant, with the place of his abode, the nature of his qualification, and the local or other description of the property, shall be written as the same are stated in the claim; and the said Clerk of the Peace, if he shall have reasonable cause to believe that any person whose name shall appear in such list of claimants is not entitled to have his name upon the Register for such barony then next to be made, shall add, by a stamp or in writing, the word "ob-

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jected" before the name of every such person on the margin of such list of claimants; and the Clerk of the Peace shall cause a sufficient number of copies of such list of claimants in each barony, with all such marginal additions as aforesaid, to be written or printed, and shall sign and publish the same in such barony to which the same relates, and shall likewise keep at some police station or other house within such respective barony (giving due notice of such police station or house at the respective times last aforesaid) a copy of such list of claimants, with the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after the same shall have been published, and shall deliver written or printed copies thereof, signed by him, to all persons applying for the same, on payment of a price for each copy after the rate mentioned in the said Schedule (C.) to this Act annexed.

Persons empowered to object.

IX. Every person whose name shall have been inserted in any list of voters for the time being for any such county, or in such special lists, may object to any other person upon any special list of voters or special list of claimants for such county under this Act as not having been entitled, under the provisions of this Act, to have his name inserted in such special list of voters or claimants for such county under this Act; and every person so objecting (save and except Clerks of the Peace and Clerks of the Union objecting in the manner hereinbefore mentioned) shall, on or before the twenty-eighth day of August, in the year one thousand eight hundred and sixty-eight, give or cause to be given to the Clerk of the Peace of the county a notice according to the Form

Notice of objection.

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(numbered 7.) in the said Schedule (A.), or to the like effect; and the person so objecting shall, on or before the said twenty-eighth day of August, give or cause to be given to the person so objected to, or leave or cause to be left at his place of abode, as described in such list, a notice according to the Form (numbered 8.) in the said Schedule (A.), or to the like effect; and every such notice of objection shall be signed by the party so objecting as aforesaid.

Clerk of the Peace to make out and publish a list of persons objected to.

X. The Clerk of the Peace shall include the names of all persons against whom notice of objection shall have been so given to him as aforesaid in a special list for each barony, according to the Form (numbered 9.) in the said Schedule (A.), and shall publish such list in such barony on or before the thirty-first day of August in the year one thousand eight hundred and sixty-eight, and shall also keep at some police station or other house in such respective barony (giving due notice of such police station or house at the time of publication last aforesaid) a copy of such list, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after such list shall have been so published, and shall deliver a copy of such list to any person requiring the same, on payment of a price for each copy after the rate mentioned in the Schedule (C.) to this Act annexed: Provided also, that the Clerk of the Peace shall in due time for the purposes aforesaid cause to be printed or provided a sufficient number of notices of claim according to the Form (No. 5.) and of the notices of objection according to the Forms (Nos. 7. and 8.) in the said Schedule (A.) or to the like effect; and shall give a copy thereof, without cost or charge, to any per-

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son applying for the same in order to make a claim or objection.

In Cities, Towns, and Boroughs.

Precept, forms, and printed lists to be delivered by the Clerk of the Peace to Town Clerk.

XI. For the purpose of forming a Register in the year one thousand eight hundred and sixty-eight of all persons entitled under the provisions of "The Representation of the People (*Ireland*) Act, 1868," to vote in the election of a member or members to serve in Parliament for the several cities, towns, and boroughs in *Ireland* in respect of the occupation of any lands, tenements, or hereditaments situate within such city, town, or borough of a net annual value of less than eight pounds and more than four pounds, or in respect of the occupation of lodgings, the Clerk of the Peace of or acting in or for every such city, town, or borough shall cause a sufficient number of forms of notices and lists to be printed according to the respective Forms (numbered 2, 6, 7, 8, 9, and 10) in the Schedule (B.) and of the Table in the said Schedule (C.) to this Act annexed, and shall also, on or before the fourth day of August, in the year one thousand eight hundred and sixty-eight, make and cause to be delivered to the Town Clerk of every such city, town, or borough his precept in writing according to the Form (numbered 1.) in the said Schedule (B.), and also a sufficient number of the said printed Forms of Notices and Lists and of the said Table.

Town Clerks empowered to inspect Rate Books, and obtain list of defaulters.

XII. The Town Clerk of every such city, town, or borough, for his assistance in making out the list of voters as hereinafter mentioned, upon request made by him at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, between the fourth day of August and the twentieth day of August in the year one thousand eight

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hundred and sixty-eight, to any Collector of Poor Rates, or to any other officer having the custody of any book relating to the same, shall have free liberty to inspect the same, and to extract such particulars as may appear to such Town Clerk to be necessary; and every Collector of Poor Rates of premises within such city, town, or borough, or officer having the custody of the Rate Books relating to the same, shall (if required by the Town Clerk), within four days after the fourth day of August in the year one thousand eight hundred and sixty-eight, make out and deliver to the said Town Clerk a list containing the name and place of abode of every person who shall not have paid on or before the first day of July in the year one thousand eight hundred and sixty eight all such rates within the collection of such Collector as aforesaid which shall have become payable by him (if any) in respect of the occupation of any lands, tenements, or hereditaments in such city, town, or borough, describing such premises, previously to the first day of January in the said year; and the Town Clerk shall keep the said list, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock of the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after the list of voters shall have been published as herein-after mentioned.

Poor Rate Collector to deliver to Town Clerk list of defaulters, if required.

Town Clerk to keep list, to be open to inspection, without fee.

XIII. The clerk of every Poor Law Union comprising the whole or any part of any city, town, or borough in *Ireland* returning a member or members to serve in Parliament shall, on or before the eighth day of August in the year one thousand eight hundred and sixty-eight, make out and transmit to the Town Clerk of each such city, town, or borough a special list of every male person of full age who shall be rated or whose name shall appear in the last rate made under the acts for the more effectual relief

Clerks of Unions to transmit to Town Clerk lists of persons rated as occupiers of premises of an annual value less than 8*l.* and more than 4*l.*

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of the destitute poor in *Ireland* as the occupier of any lands, tenements, or hereditaments situate within such city, town, or borough of a net annual value of less than eight pounds and more than four pounds, and of every such person as last aforesaid who shall be rated in the last rate made under the said Acts jointly with any other person or persons as the occupier of any such lands, tenements, or hereditaments, situated as aforesaid, of a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net annual value of more than four pounds and less than eight pounds, excluding nevertheless from such list every such occupier and every such joint occupier in any such city, town, or borough who shall not on or before the first day of July in the year one thousand eight hundred and sixty-eight have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously to the first day of January then last; and such lists shall be in the form and shall contain the particulars mentioned in Form (numbered 2.) in the Schedule (B.) to this Act annexed; and such lists shall be signed by such respective Clerk of the Union, and shall be verified by him as true and correct according to the best of his belief by an oath or declaration to be taken or made by him before some Justice of the Peace acting in and for the said city, town, or borough, or the county in which the Union Workhouse is situate, and which oath or declaration any such Justice is hereby authorized and required to administer or take.

Town Clerk to make out lists of persons entitled to vote.

XIV. The Town Clerk of every such city, town, or borough shall, on or before the seventeenth day of August in the year one thousand eight hundred and sixty-eight, make out or cause to be made out a special list in alphabetical order, according to the Form (numbered 3.) in the

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Schedule (B.) to this Act annexed, of all male persons of full age whose names shall appear on any special lists transmitted to him by the Clerk of any Union under the provisions of this Act as the occupier, or one of several joint occupiers, of lands, tenements, or hereditaments situate within such city, town, or borough of the net annual value of less than eight pounds and more than four pounds, and (in the case of joint occupiers) of the net annual value of more than four pounds and less than eight pounds for each of such joint occupiers as aforesaid: provided always, that such Town Clerk shall omit from the said list all such persons as shall not have paid on or before the first day of July in the year one thousand eight hundred and sixty-eight all poor rates payable by them severally, if any, in respect of such lands, tenements, or hereditaments, previously to the first day of January in the said year, and shall add, by a stamp or in writing, the word "objected" to the name of any person inserted in such list in case such Town Clerk shall have reasonable cause to believe such person not to be or to have ceased to be occupier or joint occupier as aforesaid of the premises in respect of which he shall have been rated, or not to have been such occupier or joint occupier for the space of twelve calendar months next previous to the said last-mentioned day in the said year; and such Town Clerk shall also in like manner add the word "objected" or "dead" before the name of any person inserted in such list in case such Town Clerk shall have reasonable cause to believe that such person is not entitled to have his name on the Register of Voters to be made for such city, town, or borough, or is dead, as the case may be; and in the said list the Christian name and Surname of every such person shall be written at full length, together with the name of the street, lane, and the number of the house

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(if any), or other description of the place, where the lands, tenements, or hereditaments of which he is the occupier or joint occupier may be situate; and the said Town Clerk shall sign such list, and shall forthwith cause a sufficient number of copies of the same, with all such marginal additions, to be written or printed, and shall publish copies of the said lists on or before the nineteenth day of August in the year one thousand eight hundred and sixty-eight, and shall likewise keep a copy of each of the said lists to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after such lists shall have been so published, and shall deliver copies thereof to all persons applying for the same, on payment of a price for each copy after the rate mentioned in the Schedule (C.) to this Act annexed.

Lists when signed to be published and sold.

XV. Every person whose name shall have been omitted in any such special list of voters for any such city, town, or borough so to be made out as aforesaid, and who shall claim, under the provisions of section twenty of the Representation of the People (*Ireland*) Act, 1868, or otherwise, as having been entitled to have his name inserted therein under the provisions of this Act, shall on or before the twenty-second day of August in the year one thousand eight hundred and sixty-eight give or cause to be given to the Town Clerk of such city, town, or borough a notice according to the Form (numbered 6.) in the said Schedule (B.), or to the like effect, and the Town Clerk shall include the names of all persons so claiming as aforesaid in a special list according to the Form (numbered 4.) in the said Schedule (B.); and in every such list the Christian name and Surname of every

Persons omitted from lists of voters may claim, and lists of claimants to be made and published, and sold.

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claimant, with the place of his abode, the nature of his qualification, and the local or other description of the property, shall be inserted as the same are stated in the claim; and the said Town Clerk, if he shall have reasonable cause to believe that any person whose name shall appear in such list of claimants is not entitled to have his name upon the Register then next to be made, shall add as aforesaid the word "objected" before the name of every such person on the margin of such list of claimants; and the Town Clerk shall cause a sufficient number of copies of such lists of claimants, with all such marginal additions as aforesaid, to be written or printed, and shall on or before the twenty-fifth day of August in the year one thousand eight hundred and sixty-eight sign and publish the same, and shall likewise keep copies of such lists of claimants, with the marginal additions as aforesaid, signed by him, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after the same shall have been published, and shall deliver written or printed copies thereof, signed by him, to all persons applying for the same, on payment of a price for each copy after the rate mentioned in the said Schedule (C.) to this Act annexed

Extension of time for claims by lodgers and publication.

XVI. The times limited by section five of the Representation of the People (*Ireland*) Act, 1868, for sending in claims by lodgers, and for the publication of the particulars of such claims, shall in the year one thousand eight hundred and sixty-eight be respectively extended to the twenty-second day of August and twenty-fifth day of August, instead of the days in said section respectively mentioned.

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Registered voters and claimants may inspect Rate Books.

XVII. It shall be lawful for any person whose name shall have been inserted in any list of voters, or who shall have claimed to have his name inserted in any list under the provisions of this Act, upon request made by any such person at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, between the nineteenth day of August and the first day of September in the year one thousand eight hundred and sixty-eight, to any Collector of Poor Rate or other officer having the custody of any book relating to the same, to inspect the same, and make extracts therefrom, for any purpose relating to any claim or objection made or intended to be made by or against such person; and every such Collector or other officer as aforesaid is hereby required, upon such request as aforesaid, to permit such inspection and the making such extracts, without payment of any fee.

Who may object.

XVIII. Every person whose name shall have been inserted in any list of voters for any such city, town, or borough, or in any such special lists, may object to any person as not having been entitled to have his name inserted in any special list of voters or special list of claimants for the same city, town, or borough under this Act; and every person so objecting (save and except Town Clerks objecting in the manner hereinbefore mentioned) shall on or before the first day of September in the year one thousand eight hundred and sixty-eight give or cause to be given a notice according to the Form (numbered 7.) in the said Schedule (B.), or to the like effect, to the Town Clerk of such city, town, or borough; and every person so objecting shall also, on or before the said first day of September in the year one thousand eight hundred and sixty-eight, give or cause to be left at the

Notice of objection shall be given.

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place of abode of the person objected to, as stated in the said list, a notice according to the Form (numbered 8.) in the said Schedule (B.); and every notice of objection shall be signed by the person objecting.

Lists of persons objected to shall be made and published, and sold.

XIX. The said Town Clerk shall include the names of all persons so objected to in a special list according to the Form (numbered 5.) in the said Schedule (B.), and shall sign the said list, and cause copies thereof to be written or printed, and shall publish the said list of persons objected to as aforesaid on or before the fourth day of September in the year one thousand eight hundred and sixty-eight, and shall keep copies of the said list, and shall allow the same, and also the notices of objection which they shall have received, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after such lists shall have been published, and shall deliver copies of each of such lists to any person requiring the same, on payment of a price for each copy after the rate mentioned in the Schedule (C.) to this Act annexed.

Where boundaries of borough altered, voters to be included in special lists.

XX. Where, under the provisions of section nine of "The Representation of the People (*Ireland*) Act, 1868," the boundaries of any borough are altered, the special lists by this Act directed to be formed in the year one thousand eight hundred and sixty-eight shall, as regards such borough, include the names of the persons who, by reason of such alteration, have become entitled to vote at any election of a member or members to serve in Parliament for such borough; and all precepts, proceedings, notices, claims, objections, and special lists relating to such borough under the provisions of this Act

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shall be framed in such manner and form as may be necessary for carrying the provisions of this section into effect.

Town Clerk shall deliver copies of list to the Clerk of the Peace.

XXI. The said Town Clerk shall, on or before the fifth day of September in the year one thousand eight hundred and sixty-eight, deliver to the Clerk of the Peace of or acting in or for such city, town, or borough copies of the said special lists of voters, made out by him as aforesaid, with the marginal additions as aforesaid, and a copy of the said special list of persons who shall have claimed as aforesaid, and a copy of the said special list of persons objected to as aforesaid, respectively signed by him.

General Provisions.

Abstracts of lists to be transmitted to Assistant Barristers empowered to revise them.

XXII. The Clerk of the Peace of every county in Ireland shall, as soon as possible after the fifth and before the eighth day of September one thousand eight hundred and sixty-eight, transmit to the Chairman of such county, or any riding thereof, an abstract of the said several special lists published by him in pursuance of the provisions of this Act; and the Clerk of the Peace of or acting in or for every city, town, or borough in Ireland shall, as soon as possible after the fifth and before the eighth day of September in the year one thousand eight hundred and sixty-eight, transmit an abstract of the said several special lists published by him in pursuance of the provisions of this Act to the Chairman or the Revising Barrister or Barristers having jurisdiction for the registry of voters for such city, town, or borough, in order that the revision of such lists in counties, cities, towns, and boroughs respectively may take place within the time by this Act prescribed.

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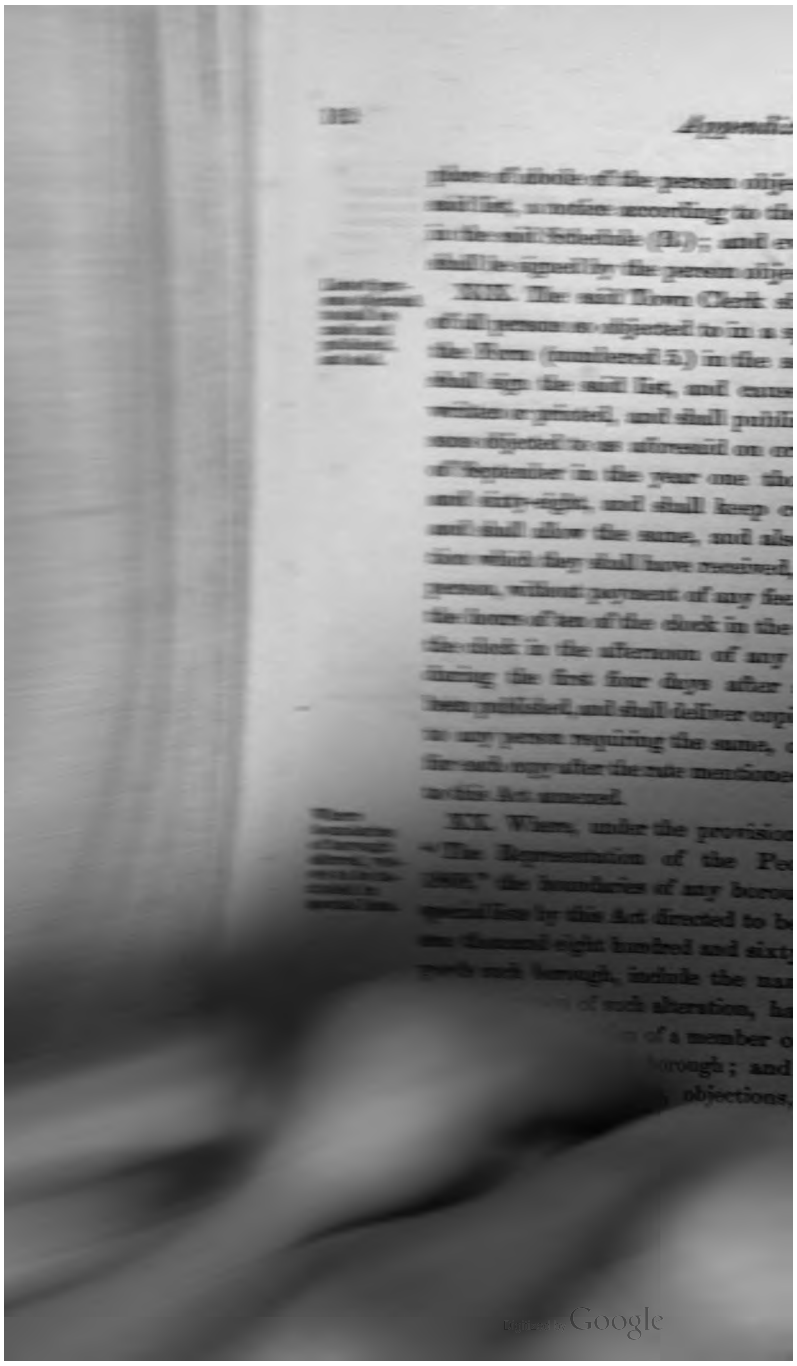

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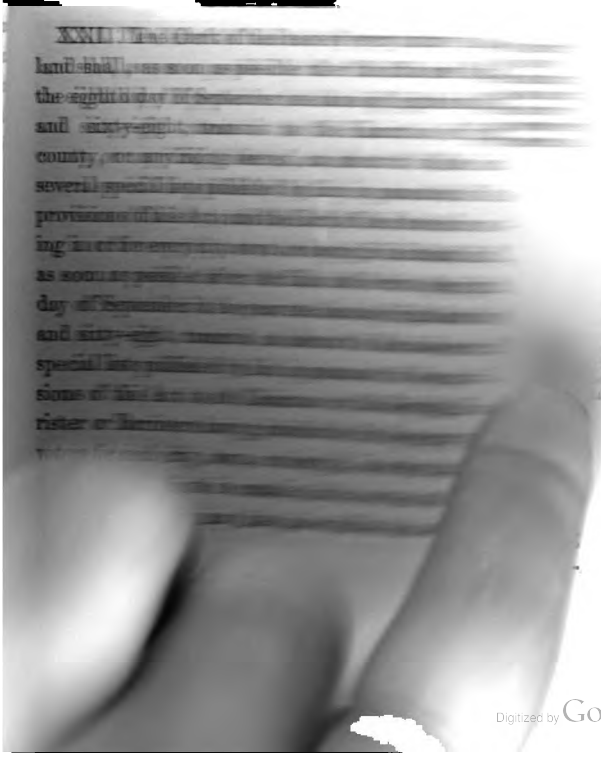

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Courts of revision to be held between 8th September and 6th October.

XXIII. The forty-sixth and forty-seventh sections of the principal Act relating to the holding of courts for the revision of the lists of voters for counties and for cities, towns, and boroughs shall, as regards the courts to be held for the purposes aforesaid in the year one thousand eight hundred and sixty-eight, be read as if the words "sixth day of October" were substituted in those sections respectively for the words "twenty-fifth day of October," and at such courts the special lists by this Act directed to be made out shall be revised in addition to the other lists prepared under the said principal Act, and shall be deemed to be part of the same; and all the provisions of the said principal Act shall apply thereto, save as is herein otherwise provided.

Alteration as to time for delivery of lists and commencement of register of voters.

XXIV. The sixty-third and sixty-fourth sections of the principal Act relating to the transmission and delivery of the book or books containing the list of voters to the Sheriff and Returning Officer shall, as regards the Register to be formed in the year one thousand eight hundred and sixty-eight, be read as if the words "first day of November" were substituted in those sections for the words "last day of November," and the said book or books shall be the Register of persons entitled to vote for the county, city, town, or borough to which such Register relates at any election which takes place between the first day of November one thousand eight hundred and sixty-eight and the first day of January one thousand eight hundred and seventy.

List of voters for University of Dublin.

XXV. In the month of October, in the year one thousand eight hundred and sixty-eight the Registrar of the University of *Dublin* shall make out an alphabetical list of the names of the electors entitled to vote at any election for members to serve in Parliament for the said University; and the said Registrar shall cause copies of

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such list to be printed on or before the first day of November in the year one thousand eight hundred and sixty-eight, and shall give a copy of such list to any elector applying for the same, upon being paid two shillings and sixpence for each copy.

Expenses of Chairman or Revising Barrister.

XXVI. There shall be paid to any Chairman or Revising Barrister, for any expenses which he shall incur in the year one thousand eight hundred and sixty-eight by reason of the provisions of this Act, such sum, not exceeding the sum of twenty-five pounds, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall direct; and every such sum shall be paid by the Commissioners of her Majesty's Treasury out of moneys provided by Parliament.

Remuneration to Clerks of Peace, &c., for additional duties.

XXVII. By way of remuneration for the additional duties imposed by this Act in the year one thousand eight hundred and sixty-eight there shall be paid to the Clerks of the Peace, Town Clerks, and Clerks of Unions such sums respectively as the Chairman, or Barrister or Barristers revising the lists of Parliamentary electors in respect of which such additional duties shall have been performed, shall award and certify, and all such sums shall be paid by the Commissioners of her Majesty's Treasury out of moneys provided by Parliament.

Power to Lord Lieutenant to appoint Revising Barristers in certain cases.

XXVIII. In case it shall appear to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that from any cause the lists of voters in the year one thousand eight hundred and sixty-eight for any county, city, town, or borough in *Ireland* cannot be revised by the Chairman or Revising Barrister or Barristers within the period directed by this Act, he may appoint one or more Barrister or Barristers of not less than ten years' standing to act together with such Chairman, Revising Barrister or Barristers, in such revision; and such Bar-

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rister or Barristers so appointed shall have the same powers and authorities in every respect in regard to such revision as such Chairman, Revising Barrister or Barristers; and every Barrister so appointed shall be paid such sum in consideration of the duties performed by him as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall appoint and the Commissioners of Her Majesty's Treasury shall approve, and such moneys shall be paid by the said Commissioners out of moneys provided by Parliament.

Power to Lord Lieutenant to appoint deputy for Revising Barristers in city of Dublin.

XXIX. In case it shall appear to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that either of the Revising Barristers for the city of *Dublin* cannot, from any reasonable cause, conveniently discharge his duties in the revision of the list of voters in the year one thousand eight hundred and sixty-eight, he may appoint a Barrister of not less than ten years' standing to act as deputy for either of the said Revising Barristers; and such Barrister so appointed to do the duty of either of such Revising Barristers shall have all and every the powers and authorities of such Revising Barrister so long as he shall act as his deputy; and there shall be paid in the said year one thousand eight hundred and sixty-eight to such Barrister acting as such deputy as aforesaid, instead of to such Revising Barrister, the salary prescribed by section one of the Act of the twenty-fourth and twenty-fifth years of *Victoria*, Chapter fifty-six.

"Last rate;"

XXX. The words "the last rate" in Part I. of this Act shall be deemed to mean the rate referred to in the precepts of the Clerks of the Peace issued in the year one thousand eight hundred and sixty-eight, under the sixteenth and twenty-ninth sections respectively of the principal Act, to the several Clerks of the Unions and

"Town Clerk;"

the Town Clerks in *Ireland* respectively; the term

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"Town Clerk" in the said Part I. shall be deemed to mean the person to whom in the aforesaid year the precept issued under the twenty-ninth section of the principal Act was addressed; and the service of notices of objection and other notices may be made in the manner prescribed by the principal Act in that behalf.

Service of notice of objection.

PART II.

AMENDMENT OF LAW AS TO REGISTRATION.

Lists to be made out in alphabetical order.

XXXI. In counties, cities, towns, and boroughs the lists to be made out and transmitted by the Clerks of Poor Law Unions under the provisions of the principal Act, and in the county of the city of *Dublin* the list to be made out and transmitted by the Collector General of Rates under section twenty-one of "The Representation of the People (*Ireland*) Act, 1868," shall, in the year one thousand eight hundred and sixty-nine, and in every succeeding year, be respectively made out in alphabetical order.

Alteration as to time for delivery of lists and commencement of register of voters.

XXXII. The sixty-third and sixty-fourth sections of the principal Act, relating to the transmission and delivery of the book or books containing the lists of voters to the sheriff and returning officer, shall, as regards the Register to be formed in the year one thousand eight hundred and sixty-nine, and in every succeeding year, be read as if the word "December" were substituted in those sections for the word "November," and the said book or books shall be the Register of persons entitled to vote for the county, city, town, or borough to which such Register relates at any election which takes place during the year

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commencing on the first day of January next after such register is made.

No payment in future required for registration of electors in University of Dublin.

XXXIII. Every person who has heretofore obtained or who shall hereafter obtain a Fellowship or Scholarship, or the degree of Master of Arts, or any higher degree, not of a purely honorary nature, in the University of *Dublin*, and who shall be desirous of having his name placed or retained on the books of the said University for the purpose of voting at any election of members to serve in Parliament for the borough of the University of *Dublin*, under the provisions of section four of the Act of the Session of the fifth and sixth years of the reign of Her present Majesty, chapter seventy-four, may require the Registrar of the said University to place or retain his name upon the books of the said University without any payment whatsoever, anything in the said section to the contrary notwithstanding: Provided always, that no person shall be entitled to vote at any election of a member or members to serve in Parliament for the said borough of the University of *Dublin* unless his name shall have been upon the books of the said University for a period not less than two months previous to such election.

Registrar to make out alphabetical list of electors.

XXXIV. In the month of December in the year one thousand eight hundred and sixty-nine, and in every succeeding year, the Registrar of the said University of *Dublin* shall make out an alphabetical list of the names of the electors entitled to vote at any election for members to serve in Parliament for the said University; and the said Registrar shall cause copies of such list to be printed on or before the first day of January in the year one thousand eight hundred and seventy, and in every succeeding year, and shall give a copy of such list to any elector applying for the same, upon being paid two shillings and sixpence for each copy; and the said Registrar

Copies of list to be printed.

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shall each year publish a copy of such list in the University Calendar, when such Calendar shall be published, or in some one or more of the public journals having general circulation in *Ireland*.

Occupiers not to be registered as lodgers.

XXXV. No person duly rated as occupier of any house or premises shall be registered as a lodger therein.

Amendment of law respecting registration of lodgers.

XXXVI. Notwithstanding anything contained in the fifth section of "The Representation of the People (*Ireland*) Act, 1868," the names of the persons on whom a right to vote for a member or members to serve in Parliament for any city, town, or borough in respect of the occupation of lodgings is conferred by the said Act shall, in the lists and register of voters for such city, town, or borough made in accordance with the provisions of the principal Act, appear in a separate list.

Evidence to support claim.

XXXVII. From and after the passing of this Act no person claiming to be entitled to vote at any election for a member or members to serve in Parliament for any county, city, town, or borough in *Ireland* shall be registered by any Chairman or Revising Barrister, unless evidence be given to prove such claim.

PART III.

MISCELLANEOUS.

Amendment of 25 & 26 Vict. c. 92, as to elections in counties.

XXXVIII. Whereas by the Act of the session of the twenty-fifth and twenty-sixth years of the reign of Her present Majesty, chapter ninety-two, section one, it is enacted, that from and after the passing of that Act any such special court as is therein mentioned for the purpose of the election of a member or members to serve in Par-

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liament for any county in *Ireland* shall be holden on any day (*Sunday*, *Good Friday*, and *Christmas Day* excepted) not later from the day of making such proclamation than the twelfth day, nor sooner than the sixth day: Provided that that section shall not apply to the election for any county of a city or of a town: Be it enacted, That the said section shall be read as if the words "fourth day" were substituted for "sixth day."

Power to adjourn Courts of Revision.

XXXIX. In case it shall so happen that the Chairman of the County, from any cause, shall not be in attendance to open any revision court appointed to be held for any county, district, or borough on the day appointed for opening the same, or, after having opened the same, shall not continue his attendance until the business of such revision court shall be completed, it shall be lawful for the clerk of the peace of the county, or his deputy, at the expiration of two hours from the time fixed for the opening of the said revision court, or from the discontinuance of such attendance as aforesaid, and not before, to open and adjourn or to adjourn such revision court, and from time to time to adjourn the same for such reasonable time as shall be sufficient for the said Chairman to commence the business of the said revision court, or to continue the sittings of the same, or in case of the death, illness, or continued absence of the said Chairman, for such reasonable time as shall be sufficient for the Chancellor for the time being or Keeper or Commissioner of the Great Seal in *Ireland* to be informed of such death, illness, or absence, and to appoint some other person to do the duty of the said revision court, and for such person to repair to the place where such revision court should be held, and to take upon himself the execution of the said duty.

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Words in this Act and principal Act to have same meanings.

XL. The words and expressions to which by the principal Act meanings are assigned have in this Act the same respective meanings, unless excluded by the subject or context; and in the construction of the Representation of the people (*Ireland*) Act, 1868, and also of this Act, the word "borough" shall include city and town.

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SCHEDULES.

SCHEDULE (A.)

Forms.

No. 1.

Special Precept of the Clerk of the Peace to the Clerk of the Union in the Year 1868.

County of , Barony of .

To the Clerk of the Union of .

In pursuance of the provisions of "The Registration Amendment (Ireland) Act, 1868," I require your attention to the following instructions; that is to say, On or before the eighth day of August next you are to make out, and transmit to me, a special list of every male person of full age who shall be rated in the last rate, as the same is defined in section thirty of the said Act, made for the relief of the poor as the occupier of any lands, tenements, or hereditaments situate within your union, and in the said barony, or in your division of the said barony, (*as the case may be*), jointly with any other person or persons, of a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net annual value of twelve pounds or upwards; and you are also to insert in such list the names of every male person of full age who shall have been rated in the said last rate made for the relief of the poor as the occupier of lands, tenements, or hereditaments of the net annual value of twelve pounds or upwards where the said

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premises shall not have been the same premises, but different premises occupied in immediate succession during the twelve calendar months next previous to the twentieth day of July one thousand eight hundred and sixty-eight, but you are to exclude nevertheless from such special list every such occupier who shall not, on or before the first day of July in this year, have paid all poor rates (if any) which shall have become payable by him in respect of such premises previously to the first day of January last; and you are required, after due inquiry, which you are required to make, with the assistance of the respective collectors of poor rates as aforesaid, to enter objections, by adding in the margin the word "objected" or "dead" (*as the case may be*) before the names of persons in such special list contained, and not entitled to be on the register next to be made, and such special list shall be in the form and shall contain the particulars mentioned in the Form (Number 2.) herewith sent; and such list shall be signed by you, and shall be verified by you as true and correct, according to the best of your belief, by an oath or declaration to be made or taken by you before some justice of the peace for the said county within which such lands are situate, or the county in which your Union workhouse is situate, and which oath any such justice is authorized and required to administer or take, and to certify at the foot of such list the taking of such oath or the making of such declaration.

You are required to allow to any person on the list of voters of the county, or in this special list, inspection of the rate books, and to make extracts therefrom during the periods prescribed by the said Act.

You, or a sufficient deputy to be appointed by you, are or is to attend the court to be holden by the Chairman of the Sessions for the county of in which the said barony lies (of the time and place of holding which notice will be sent to you), and there to have for the inspection of the Chairman holding such court the rate books or copies of the parts thereof relating to premises within the said barony, or your division thereof

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Herein if you fail you will be liable to the penalties in that case provided.

Given under my hand, this day of .

A. B.,

Clerk of the Peace for the county of .

No. 2.

[*To be used in the Year* 1868.]

County of , Barony of .

Clerk of Union's special return, for the year 1868, of male persons rated in the last rate under the Acts for the relief of the destitute poor, as the occupiers, jointly with any other person or persons, of lands, tenements, or hereditaments rated separately or together at a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net annual value of twelve pounds or upwards, and of such male persons rated in the said rate, under the said Acts, as occupiers of lands, tenements, or hereditaments of the net annual value of twelve pounds or upwards where the said last-mentioned premises shall not have been the same premises, but different premises occupied in immediate succession during the twelve calendar months previous to the twentieth day of July one thousand eight hundred and sixty-eight, situate in the Barony of , being part of the Poor Law Union of , and all which occupiers have on or before the first day of July one thousand eight hundred and sixty-eight paid all poor rates (if any) which have become payable by them respectively out of such respective lands, tenements, or heredita-

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ments previously to the first day of January one thousand eight hundred and sixty-eight.

Column for entering the Clerk of the Union's Objections.	Rated Occupier's Christian Name and Surname at full length.	Place of Abode.	Townland or Denomination, and Name or Description of Premises rated.	Rated Value of Premises.

I certify that this is a correct list. Dated this day of 18 .

(Signed) *A. B.*,
Clerk of the Union of .

Verified on Oath or by Declaration by the said *A. B.* before me, a Justice of the Peace for the County of .

(Signed) *C. D.*, Justice.

No. 3.

County of , Barony of .

Special List in the year 1868.

Clerk of the Peace's special list of male persons rated under the last rate under the Acts for the relief of the destitute poor as the occupiers, jointly with any other person or persons, of lands, tenements, or hereditaments rated separately or together at a net annual value of such an amount as when divided by the number of occupiers would give to each such occupier a net

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annual value of twelve pounds or upwards, and of such male persons rated in the said rate, under the said Acts, as occupiers of lands, tenements, or hereditaments of the net annual value of twelve pounds or upwards where the said last-mentioned premises shall not have been the same premises, but different premises occupied in immediate succession during the twelve calendar months previous to the twentieth day of July one thousand eight hundred and sixty-eight, and situate in the Barony of being part of the Poor Law Union of , and all which occupiers have on or before the first day of July one thousand eight hundred and sixty-eight paid all poor rates, if any, which have become payable by them respectively out of such respective lands, tenements, or hereditaments previously to the first day of January one thousand eight hundred and sixty-eight.

Column for entering Clerk of the Union's Objections.	Rated Occupier's Christian Name and Surname at full length.	Place of Abode.	Townland or Denomination, and Name or Description of Premises rated.	Rated Value of Premises.

I certify that this is a correct list. Dated this day of 1868.

(Signed) *A. B.*,
Clerk of the Peace of the County of

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No. 4.

Notice to be given by the Clerk of the Peace as to Claims to vote.

County of .

I hereby give notice, That all persons entitled to vote in the election of a knight or knights of the shire for the county of in respect of premises situate wholly or in part within any barony of this county who shall not be on the special list of ratepayers for such barony, and are not upon the register of voters now in force (relating to such barony), and who are desirous to have their names inserted in the register of voters about to be made for the said county under the provisions of the Registration Amendment (Ireland) Act, 1868, are hereby required to give or send to me at my office on or before the twentieth day of August in this year, a notice in writing, by them signed, in which their name(*a*) and surname at full length, their place of abode, and the particulars of their qualification, must be legibly written, according to the Form (No. 5.) hereunder set forth.*

Dated this day of in the year 1868.

(Signed) *A. B.*,

Clerk of the Peace of the County of .

* Note.—The Form (No. 5.) should be annexed to this Notice.

(*a*) *Sic* in Act.

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No. 5.

Form of Notice of Claim to be inserted on Special List to be given to the Clerk of the Peace in the Year 1868.

Barony of

To the Clerk of the Peace of the County of .

I hereby give you notice, that I claim to be inserted in the Special List for this Barony of Voters for the County of , and that the particulars of my place of abode and qualification are stated in the columns below.

Dated the day of in the year 1868.

(Signed) *A. B.*

Christian Name and Surname of the Claimant at full length.	Place of Abode.	Nature and Amount of Qualification.	Townland or denomination, Street, Lane, or other like place in this Barony, and Number of House (if any), where the Property is situate, or name of the Property.

No. 6.

County of , Barony of , to wit.

The Special List of persons under the provisions of "The Representation of the People (Ireland) Act, 1868," in the year

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one thousand eight hundred and sixty-eight, claiming to be entitled to vote in the election of a knight [*or* knights] of the shire for the county of in respect of property situate wholly or in part in the barony of .

Margin for entering Clerk of the Peace's Objections.	Christian Name and Surname of each Voter at full length.	Place of abode.	Nature and Amount of Qualification.	Townland or Denomination, Street, Lan eor other like place in this Barony, and Number of House (if any) where the Property is situate or Name of the Property.

(Signed) *A. B.*,
Clerk of the Peace of the said County

No. 7.

Notice of Objection to be given to the Clerk of the Peace.

Barony of .

To the Clerk of the Peace of the County of .

I hereby give you notice, That I object to the name of the person mentioned and described below being retained in the Special List for this Barony of Voters for the County of .

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Christian and Surname of the Person objected to as described in the Special List.	Place of Abode, as described.	Nature of Qualification as described.	Townland or Denomination, Street, Lane, or other like place, where the qualifying Property is situate, &c., as described in the Special List.

Dated the day of in the year .

(Signed) *A. B.* [*place of abode.*]

No. 8.

Notice of Objection to be given to Parties objected to by any Person other than the Clerk of the Peace or Clerk of the Union.

Barony of .

To Mr. of .

Take notice, That I object to your name being retained in the Special List for this Barony of Voters for the County of .

Dated this day of one thousand eight hundred and sixty-eight.

(Signed) *A. B.*, of [*place of abode,*]

being now registered [*or* on the Register of Voters, *or* List of Voters, or Special List of Voters, *as the case may be,*] for the county of .

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No. 9.

List of Persons objected to in the Year 1868, *to be published by the Clerk of the Peace.*

County of barony of .

The following persons have been objected to, as not being entitled to have their names retained in the Special List for this Barony of Voters for the County of .

Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Townland or Denomination, Street, Lane, or other like place in this Barony, and Number of House (if any), where the Property is situate, or Name of the Property.

(Signed) *A.B.*,

Clerk of the Peace of the county of

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SCHEDULE (B.)

Forms.

No. 1.

Special Precept of the Clerk of the Peace to the Town Clerk.

City [*or* town *or* borough] of in the county of , to wit.

To the Town Clerk &c. of the city [*or* of *or* in the town *or* borough] of .

In pursuance of the provisions of the Registration Amendment (Ireland) Act, 1868, I require your attention to the following instructions:

On or before the seventeenth day of August you are to make out a special list in alphabetical order, according to the Form (numbered 3.) herewith sent, of all such male persons of full age as shall appear on the list transmitted to you by the Clerk of the Union in this year as the occupier, or one of several joint occupiers, of lands, tenements, or hereditaments situate within this city [town *or* borough] of the net annual value of less than eight pounds and more than four pounds [*or*, in the case of joint occupiers, more than four pounds and less than eight pounds for each such joint occupier].

You are to omit from the said list all such persons as shall not have paid, on or before the first day of July, 1868, all poor rates payable by them severally, if any, in respect of such Premises previously to the first day of January, 1868.

You are to add, with a stamp or in writing, the word "objected" to the name of any person inserted in the said list (marked No. 2.) in case you shall have reasonable cause to believe such person not to be, or to have ceased to be, occupier or

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joint occupier of the premises in respect of which he shall have been rated, or not to have been such occupier or joint occupier for the space of twelve calendar months next previous to such twentieth day of July; and in the said list to be made out by you the Christian name and Surname of every such person must be written at full length, together with the place of his abode and the nature of his qualification; and the name of the street, lane, and the number of the house (if any), or other description of the place where such property may be situate, shall be specified in the list; and you shall sign the said list, and shall forthwith cause a sufficient number of copies of the said list, with all such marginal additions, to be written or printed.

You are to publish, in the manner by the principal Act directed with regard to notices, copies of the said list, signed by you, on or before the nineteenth day of August, and you are likewise to keep a copy of each of the said lists, signed by you, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after such lists shall have been so published, and you are to deliver copies thereof to all persons applying for the same, on payment of a price for each copy after the rate contained in the table herewith sent.

You are, on or before the twenty-fifth day of August, to make out and to publish in manner aforesaid a special list, according to the Form numbered 4, containing the name of every person who shall have given or have caused to be given to you, on or before the twenty-second day of August, his claim to have his name inserted in the special list; but if you have reasonable cause to believe that any person whose name shall appear in such list of claimants is not entitled to have his name upon the Register then next to be made, you are to add in like manner the word "objected" before the name of every such person on the margin of such list of claimants; you are also to make out ano-

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ther special list, according to the Form numbered 5, containing the name of every person against whom a notice of objection shall have been given to you, on or before the first day of September, as not being entitled to have his name retained in the special list for your city [*or* town *or* borough] ; and on or before the fourth day of September you are to sign each of such last-mentioned special lists, and publish the same on some public and conspicuous situation on the outside of the outer door or on the outer wall near the door of the Town Hall, or if there be no Town Hall, then on such other place as aforesaid in the same manner as before-mentioned with regard to the notices.

You are to keep a copy of these special lists, signed by you, and you are to allow the same, and also the notices of objection, to be perused by any person, without payment of any fee, at any time between the hours of ten of the clock in the forenoon and four of the clock in the afternoon of any day, except Sunday, during the first four days after the said lists shall have been published, and you are to deliver a copy of each of such lists to any person requiring the same, on the payment of a price for each copy after the rate contained in the Table herewith sent.

If you shall find that any such notice, list, or other document published by you as aforesaid has been destroyed, mutilated, effaced, or removed, you are forthwith to place another in its room to the same effect.

On or before the fifth day of September you are to deliver to me copies of the said special list of voters so made out by you, with the marginal additions as aforesaid, copies of the special list of claimants, and copies of the special list of persons objected to, so respectively made out and signed as aforesaid.

You are to attend the Court to be holden for the revision of the list of voters for your city [*or* town *or* borough], of the time of holding which due notice will be given ; and at the opening of such Court you are there to deliver to the Chairman of the Sessions for the county, *or* Revising Barrister, before whom the

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same shall be holden, the several lists made out by you, with the marginal additions as aforesaid, and signed by you, and the original notices of objection and the original notices of claims given to you, together with the list transmitted to you by the Clerk of the Union.

Herein if you fail you will be liable to the penalties in that case provided. Given under my hand this day of One thousand eight hundred and .

(Signed) *A.B.* { Clerk of the Peace of or acting in or for the city [*or* town *or* borough] of

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No. 2.

Clerk of Union's special list, for the year 1868, of male persons rated or whose names shall appear in the last rate under the Acts for the relief of the destitute poor as the occupiers of lands, tenements, or hereditaments rated separately or together at the net annual value of less than eight pounds and more than four pounds, and situate in the city [*or* town *or* borough] of being part of the Poor Law Union of (or, in the case of joint occupiers, rated at a net annual value of such an amount as, when divided by the number of such occupiers, would give to each a net annual value of less than eight pounds and more than four pounds); excluding from this list all such occupiers as have not on or before the first day of July, 1868, paid all poor rates, if any, which have become payable by them respectively out of such respective premises previously to the first day of January, 1868.

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Christian Name and Surname at full Length.	Place of Abode.	Name or Description of Premises rated.	Rated Value of Premises.

I certify that this is a correct list. Dated this day of 1868.

(Signed) *A. B.*
Clerk of the Union of .

Verified on oath, or by declaration, by the said *A. B.* before me, a Justice of the Peace for the of .

(Signed) *C. D.*, Justice.

No. 3.

Special list of male persons entitled to vote in the election of a member [*or* members] to serve in Parliament for the city [*or* town *or* borough] of as being persons rated or whose names shall appear in the last rate under the Acts for the relief of the destitute poor as the occupiers of lands, tenements, and hereditaments rated separately or together at the net annual value of less than eight pounds and more than four pounds, and situate in the city [*or* town *or* borough] of , being part of the Poor Law Union of (or, in the case of joint occupiers, rated at a net annual value of such an amount as, when divided by the number of such occupiers, would give to each a net annual value of less than eight pounds and more than four pounds), all which persons aforesaid have, on or before

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the first day of July, 1868, paid all poor rates, if any, which have become payable by them respectively out of such respective premises previously to the first day of January, 1868.

Margin for entering Town Clerk's Objections.	Christian Name and Surname at full length.	Place of Abode.	Nature of Qualification.	Name or Description of Premises rated. Street, Lane, or other like place in this City [*or* Town *or* Borough], and Number of the House (if any), where the Property is situate.	Rated Value of Premises.

I certify that this is a correct list. Dated this day of 18 .

(Signed) *A. B.* { Town Clerk for the city [*or* town *or* borough] of .

No. 4.

Special List, for the Year 1868, *of Claimants, to be published by the Town Clerk.*

The following persons claim to have their names inserted in the Special List of persons entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of in respect of being occupiers of lands, tenements, or hereditaments rated separately or together at the net annual

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value of less than eight pounds and more than four pounds within the said city [*or* town *or* borough].

Column for entering Town Clerk's Objections.	Christian Name and Surname of each Claimant at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other like place in this City [*or* Borough] where the Property is situate, and Number of the House (if any).

(Signed) *A. B.*
Town Clerk of the city [*or* town *or* borough] of

No. 5.

Special List, for the Year 1868, *of Persons objected to, to be published by the Town Clerk.*

The following persons have been objected to as not being entitled to have their names retained in the Special List of persons qualified to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of in respect of being occupiers of lands, tenements, or hereditaments rated separately or together at a net annual value of less than eight pounds and more than four pounds within the said city [*or* town *or* borough], or in respect of the occupation of lodgings.

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Christian Name and Surname of each Person objected to.	Place of Abode.	Nature of the supposed Qualification.	Street, Lane, or other Place in the Parish where the Property is situate, and Number of the House (if any).

(Signed) *A. B.*
Town Clerk of the city [*or* town *or* borough] of

No. 6.

Notice of Claim.

To the Town Clerk of the city [*or* town *or* borough] of

I hereby give you notice, That I claim to have my name inserted in the Special List made by you of persons entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of , and that the particulars of my qualification and place of abode are stated in the columns below.

Dated the day of one thousand eight hundred and sixty-eight.

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Christian Name and Surname of the Claimant at full length.	Place of Abode.	Nature of Qualification.	Street, Lane, or other place in the City [*or* Town *or* Borough] where the Property is situate, and Number of the House (if any).

(Signed) *A. B.*

No. 7.

Notice of Objection.

To the Town Clerk of the city [*or* town *or* borough] of

I hereby give you notice, That I object to the name of being retained on the Special List, or on the List of Lodgers as a person entitled to vote in the election of a member [*or* members] for the city [*or* town *or* borough] of .

Dated this day of .

(Signed) *A. B.* of [*place of abode*],

on the list of voters for the city [*or* town *or* borough] of

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No. 8.

Form of Notice of Objection to be given to Parties objected to.

To Mr. .

I hereby give you notice, That I object to your name being

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retained on the Special List, or on the List of Lodgers as a person entitled to vote in the election of members [*or* a member] for the city [*or* town *or* borough] of .

Dated this day of .

(Signed) *A. B.* [*place of abode*],

on the list of voters or Special List for the city [*or* town *or* borough] of .

No. 9.

Claim of Lodger.

City, town, *or* borough of

To the Town Clerk of the city, town, *or* borough of

I hereby claim to be inserted in the List of Voters in respect of the occupation of the under-mentioned lodgings, and the particulars of my qualification are stated in the columns below.

Christian Name and Surname at full length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

I, the above-named hereby declare that I have been during the twelve months immediately preceding the twentieth day of July in this year the occupier as sole tenant of the above-mentioned lodgings, and that I have resided therein during the twelve months immediately preceding the said twentieth day of July, and that such lodgings are of a clear yearly value, if let unfurnished, of ten pounds or upwards.

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Dated the day of

Signature of claimant

Witness to the signature of the said

And I certify my belief in the accuracy of the above claim.

Name of Witness . . . .

Residence and Calling . . .

[This claim must bear date after the twenty-first day of July, and must be delivered to the Town Clerk on or before the twenty-second day of August.]

No. 10.

List of Claimants in respect of Lodgings to be published by the Town Clerk.

The following persons claim to have their names inserted in the list of persons entitled to vote in the election of a member [*or* Members] for the city, town, *or* borough of .

Christian Name and Surname of each Claimant at full length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

(Signed) *A. B.*, Town Clerk.

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SCHEDULE (C.)

Table of Rates of Payment to be demanded and paid for any List or Copy of a List (other than a Register), where a payment is required and authorized by this Act.

For any List or Copy of a List containing any number of Persons' Names:

	s.	*d.*
Not exceeding 100 Names, ...	0	6
Exceeding 100 and not exceeding 200, .	1	0
Exceeding 200 and not exceeding 300, .	1	6
Exceeding 300 and not exceeding 400, .	2	0
Exceeding 400, ...	2	6

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THE END.

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